

Exhibit F

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[1]
[2] UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
[3]
[4] VIOLA PLUMMER,
[5] Plaintiff, Civil Action No.
[6] -against- 07 CV 6154(WHP)
[7] CHRISTINE QUINN,
[8] Speaker of the City Council,
[9] Defendant.
[10]
[11] August 16, 2007
10:26 a.m.
[12]
[13]
[14] Deposition of CHRISTINE C. QUINN,
[15] taken pursuant to Notice, held at the
[16] Offices of the Corporation Counsel, 100
[17] Church Street, New York, New York, before
[18] Vicky Gallitsis, a Certified Shorthand
[19] Reporter and Notary Public of the State of
[20] New York.
[21]
[22]
[23]
[24] GREENHOUSE REPORTING, INC.
363 Seventh Avenue - 20th Floor
New York, New York 10001
[25] (212) 279-5108

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[1]
[2] APPEARANCES:
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[5] 394 Putnam Avenue
[6] Brooklyn, New York 11216
[7]
[8] NEW YORK CITY LAW DEPARTMENT
[9] OFFICE OF THE CORPORATION COUNSEL
[10] Attorneys for the Defendant
[11] 100 Church Street
[12] New York, New York 10007
[13] BY: JAMES LEMONEDES, ESQ.
[14] PAUL MARKS, ESQ.,
[15] of Counsel
[16]
[17] NEW YORK CITY COUNCIL
[18] OFFICE OF THE GENERAL COUNSEL
[19] 250 Broadway, 15th Floor
[20] New York, New York 10007
[21] BY: ALVIN BRAGG, JR., ESQ.,
[22] of Counsel
[23]
[24] ALSO PRESENT:
[25] Viola Plummer

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[1]
[2] IT IS HEREBY STIPULATED AND AGREED,
[3] by and between the attorneys for the
[4] respective parties hereto, that all
[5] objections, except as to form, shall be
[6] reserved to the time of trial.
[7] IT IS FURTHER STIPULATED AND AGREED
[8] that the sealing and filing of the within
[9] deposition are hereby waived.
[10] IT IS FURTHER STIPULATED AND AGREED
[11] that the within deposition may be
[12] subscribed and sworn to by the witness
[13] being examined before a Notary Public
[14] other than the Notary Public before whom
[15] this deposition was begun.
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[1] **C.C. Quinn**
[2] CHRISTINE C. QUINN,
[3] having been first duly sworn by a
[4] Notary Public of the State of New
[5] York, was examined and testified
[6] further as follows:
[7] **EXAMINATION BY MR. WAREHAM:**
[8] **Q:** Good morning. My name is Roger
[9] Wareham and I represent Viola Plummer in this
[10] action.
[11] There are a few preliminary
[12] questions that I just need to ask you.
[13] **A:** Okay.
[14] **Q:** Have you ever been deposed
[15] before?
[16] **A:** Yes.
[17] **Q:** As you already know, you are
[18] under oath.
[19] **A:** Yes.
[20] **Q:** Any questions I ask you; if you
[21] don't understand them in terms of form or
[22] content, just ask me to rephrase it or repeat
[23] it. Your questions have to be answered orally
[24] because —
[25] **A:** Yes.

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C.C. Quinn

[1] Q: Okay. Have you taken any
[2] medications or drugs today that would effect
[3] your ability to answer or understand my
[4] questions and answer clearly?
[5] A: No.
[6] Q: Have you reviewed any documents
[7] in preparation for this?
[8] A: Yes.
[9] Q: Which documents were they?
[10] A: The transcript of the Stated
[11] Meeting and the interrogatories.
[12] Q: Anything else?
[13] A: No.
[14] Q: What is your title in the City
[15] Council?
[16] A: Speaker.
[17] Q: You are the Councilmember from
[18] which district?
[19] A: Third.
[20] Q: When were you elected?
[21] A: February of 1999.
[22] Q: Are you term limited?
[23] A: Yes.
[24] Q: When you ran for Speaker, was
[25]

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[1] there anyone also running for that position?
[2] A: Yes.
[3] Q: Who was that?
[4] A: There were numerous people who
[5] were running.
[6] Q: How many people, if you remember?
[7] A: I believe there were six people
[8] in total including myself — I'm sorry, there
[9] were seven people including myself.
[10] Q: Do you remember which ones?
[11] A: Myself, Melinda Katz, Leroy
[12] Comrie, David Weprin, Joel Rivera,
[13] Bill de Blasio and Lewis Fidler.
[14] Q: Did you have the support of the
[15] democratic party from Queens for your
[16] selection as Speaker?
[17] MR. LEMONEDS: Objection to
[18] form. You can answer if you can.
[19] A: At what point? Could you be more
[20] specific?
[21] Q: How many votes did you get to be
[22] selected as Speaker?
[23] MR. LEMONEDS: Objection to
[24] form.
[25]

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[1] A: I think I got 49 votes but I'm —
[2] it was in the high 40s, I think it was 49.
[3] Q: Did Councilmember Comrie support
[4] your selection of Speaker?
[5] MR. LEMONEDS: Again, objection.
[6] You can answer.
[7] A: At what point, sir, because it
[8] was a multi —
[9] Q: Let me go back for a second. Can
[10] you describe what is the procedure that
[11] someone goes through, the procedure to select
[12] a Speaker in the City Council?
[13] A: Well, the charter meeting, the
[14] date of which is stipulated by the charter,
[15] there is a vote. And if you get a majority
[16] vote of your colleagues then you're the
[17] Speaker.
[18] Q: And the majority vote means you
[19] have to have?
[20] A: 26.
[21] Q: And prior to that vote are there
[22] steps that are taken to secure support?
[23] A: Pardon me?
[24] Q: What steps did you take prior to
[25]

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[1] the vote to secure support for your candidacy?
[2] A: You have to have 26 — know 26
[3] people are going to vote yes.
[4] Q: And the day of the vote, do you
[5] usually know prior to the vote whether or not
[6] you had votes necessary to win?
[7] A: It's been different. There's
[8] been three votes, it's been different every
[9] time. There's been three votes for three
[10] different speakers.
[11] Q: Did Charles Barron support your
[12] candidacy?
[13] MR. LEMONEDS: Objection to
[14] form.
[15] Q: For selection of Speaker?
[16] A: He abstained.
[17] Q: What's the highest level of
[18] education that you've attained?
[19] A: College degree.
[20] Q: In what, in what area? What did
[21] you major in?
[22] A: Urban studies and education.
[23] Q: Where did you go to school?
[24] A: Trinity College.
[25]

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[1] **C.C. Quinn**
[2] **Q:** And that's in?
[3] **A:** Hartford, Connecticut.
[4] **Q:** Prior to your election, as a City
[5] Council member in 1999, what type of work did
[6] you do?
[7] **A:** I was the executive director of
[8] the New York City Gay and Lesbian
[9] Anti-Violence Project.
[10] **Q:** How long were you doing that?
[11] **A:** About three years, a little bit
[12] less.
[13] **Q:** What are the responsibilities of
[14] the Speaker?
[15] **A:** They're numerous. They're
[16] numerous, they deal from legislative
[17] responsibilities, administrative
[18] responsibilities, organizational
[19] responsibilities, agenda responsibilities.
[20] **Q:** What are the administrative
[21] responsibilities of the Speaker?
[22] **A:** Those too are extensive. There
[23] is a large administrative staff that deals
[24] with purchasing, bill paying, payroll, all of
[25] the typical things that go along with running

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[1] **C.C. Quinn**
[2] a city agency.
[3] **Q:** Are you familiar with the section
[4] of the New York City Charter which establishes
[5] the City Council?
[6] **A:** No.
[7] **Q:** Have you ever read it?
[8] **A:** No.
[9] (Ms. Viola Plummer enters.)
[10] **Q:** I know in your previous answer
[11] you referred to the City Council as an agency.
[12] Are you aware that the City Charter
[13] establishes the City Council as a legislative
[14] body?
[15] **MR. LEMONEDS:** Objection. You
[16] can answer to the degree you have any
[17] knowledge of it. But you will give no
[18] legal advice here.
[19] **A:** My understanding is the City
[20] Council is a legislative body and an agency.
[21] **Q:** What are the characteristics of
[22] an agency to your understanding?
[23] **A:** I'm sorry, I don't understand
[24] your question. Are you asking me for a legal
[25] interpretation?

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[1] **C.C. Quinn**
[2] **Q:** No. I'm asking you for your lay
[3] interpretation. Let me rephrase the question.
[4] The difference between a
[5] legislative body and an agency?
[6] **A:** Well, the City Council is both,
[7] so it has the characteristics of both.
[8] **Q:** What are the characteristics of
[9] an agency that the City Council has?
[10] **A:** It's an entity of, comprised of
[11] employees working under the auspicious of the
[12] New York City government.
[13] **Q:** The employees of, for example,
[14] the employees of the New York City Police
[15] Department, that's an agency?
[16] **A:** Yes.
[17] **Q:** Is the Commissioner of the New
[18] York City Police Department elected by the
[19] citizens of New York City?
[20] **MR. LEMONEDS:** Objection.
[21] **A:** No.
[22] **MR. LEMONEDS:** You can answer.
[23] **A:** No.
[24] **Q:** The commissioner is appointed by
[25] the executive, is that correct, by the mayor?

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[1] **C.C. Quinn**
[2] **A:** Yes.
[3] **Q:** To your knowledge, do the
[4] employees of the New York City Police
[5] Department vote on the budget for the New York
[6] City Police Department?
[7] **MR. LEMONEDS:** Again, objection.
[8] But you can answer.
[9] **A:** No.
[10] **Q:** Are the employees of the New York
[11] City Police Department elected by the citizens
[12] of New York City?
[13] **A:** No.
[14] **Q:** Does the commissioner of the
[15] police department make laws for the City of
[16] New York?
[17] **MR. LEMONEDS:** Again, objection
[18] to this whole line of questioning. I
[19] just don't want to keep interrupting.
[20] **MR. WAREHAM:** You have a standing
[21] objection.
[22] **MR. LEMONEDS:** Thanks.
[23] **A:** The police commissioner has a
[24] power to issue police regulations which have
[25] the force of law.

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[1]
[2] **Q:** Does the police commissioner have
[3] the power to make laws for the City of New
[4] York?

[5] **A:** No.

[6] **Q:** From where did you get the
[7] understanding that the New York City Council
[8] is an agency?

[9] **MR. LEMONEDES:** Objection to the
[10] degree it calls for privilege. I will
[11] allow a limited answer.

[12] **A:** Let's just be clear. My
[13] understanding is that the City Council is a
[14] legislative body and an agency. I got that
[15] understanding when I was a Councilmember, when
[16] I was a Council staff member before that and
[17] that has always been my understanding based on
[18] conversations and information from staff,
[19] since becoming Speaker in 2006.

[20] **Q:** Does the Police Commissioner of
[21] New York have the right to discipline
[22] employees of the police department?

[23] **MR. LEMONEDES:** Just note my
[24] standing objection. Go ahead.

[25] **A:** I can't comment on the full

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[1] employment and disciplinary powers of the
[2] police commissioner.

[3] **Q:** Does the Police Commissioner of
[4] New York have the authority to fire employees
[5] of the New York City Police Department?

[6] **A:** Again, I'm not fully aware of
[7] what all of the employment and administrative
[8] powers of the police commissioner are.

[9] **Q:** When you were elected to the
[10] Council in 1999 who was the selected Speaker
[11] for that, your first term?

[12] **A:** Peter Vallone, Senior.

[13] **Q:** That was your first term at the
[14] City Council, correct?

[15] **A:** A portion of a term, yes.

[16] **Q:** Were you involved in the
[17] selection of Peter Vallone as the Speaker?

[18] **A:** No.

[19] **Q:** When was the first Speaker
[20] selection you were involved?

[21] **A:** 2002.

[22] **Q:** That was for?

[23] **A:** Gifford Miller.

[24] **Q:** Did you support Gifford Miller?

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[1] **A:** Yes.

[2] **Q:** When you selected Gifford Miller
[3] as Speaker, was it your understanding that
[4] Gifford Miller as Speaker had authority over
[5] staff members, individuals of your staff?

[6] **A:** I believed I was voting on
[7] Gifford to be the Speaker of the City Council
[8] and as such the agency had among other
[9] responsibilities.

[10] **Q:** Did you have individual staff at
[11] that point in time, staff members?

[12] **A:** Yes.

[13] **Q:** Did you have a staff?

[14] **A:** Yes.

[15] **Q:** And when you hired that staff did
[16] you get approval from Gifford Miller?

[17] **A:** You send paperwork that has to be
[18] approved to the Administrative Services
[19] Division of the New York City Council which
[20] works for the Speaker. So it was approved —
[21] the hiring of those staff was approved and
[22] processed by the City Council's Administrative
[23] Services Division.

[24] **Q:** Do you know who signed off on the

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[1] approval for the staff members, any of your
[2] staff members?

[3] **A:** I believe it was the director at
[4] that time.

[5] **Q:** Your understanding —

[6] **A:** Some of my staff pre-dated
[7] Gifford so there was staff that were there
[8] from when Peter was Speaker.

[9] **Q:** Is it your understanding that if
[10] Gifford Miller had disapproved of someone you
[11] wanted to hire, that you would not have been
[12] able to hire that person?

[13] **A:** I interviewed individuals, hired
[14] them, sent their paperwork to be processed.

[15] **Q:** Were those people approved?

[16] **A:** Yes.

[17] **Q:** Were you aware of any instance
[18] where an individual Councilmember wanted to
[19] hire a staff person and the Speaker
[20] disapproved of it?

[21] **A:** Yes.

[22] **Q:** When was that?

[23] **A:** I don't know the date, but there
[24] was an incident — there was such a staff

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C.C. Quinn

[1] member.
[2] **Q:** That was when Gifford Miller was
[3] the —
[4] **A:** I think it was when Peter Vallone
[5] was Speaker.
[6] **Q:** But you don't know who that was?
[7] **A:** I don't recall the name. I don't
[8] recall the name of the staff member, but there
[9] was an employee who was requested to be hired
[10] by a councilmember when Speaker Vallone was
[11] Speaker and that employment was denied.
[12] **Q:** Do you know what the basis of
[13] that denial was?
[14] **A:** It had to do with other family
[15] members being on staff.
[16] **Q:** So it was a conflict of interest
[17] or was it —
[18] **A:** I can't characterize it.
[19] **MR. LEMONEDS:** Objection to
[20] form.
[21] **Q:** Was it in contravention of City
[22] Council rules?
[23] **MR. LEMONEDS:** Again, objection.
[24] **A:** My full knowledge was that it was

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[1] related to there being family on staff.
[2] **Q:** Do you remember who was the City
[3] Councilmember?
[4] **A:** No.
[5] **Q:** Do you remember whether the City
[6] Councilmember agreed to the decision by
[7] whoever you said was the — Speaker Vallone
[8] made the division?
[9] **MR. LEMONEDS:** Again, objection.
[10] Calls for speculation. Go ahead.
[11] **A:** I don't know. I mean, I don't
[12] know who the Councilmember was, so I couldn't
[13] know what they — how they reacted.
[14] **Q:** But you're saying it was during
[15] when Vallone, Senior was the Speaker?
[16] **A:** Yes, sir.
[17] **Q:** What is your understanding of the
[18] statutory source of the Speaker's authority,
[19] where does it come from, if you know?
[20] **A:** The charter.
[21] **Q:** Do you know which provision of
[22] the charter it comes from?
[23] **A:** No.
[24] **Q:** Is there any other statutory

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[1] authority that you're aware of for the
[2] authority of the Speaker?
[3] **A:** As I understand it, it's the
[4] charter.
[5] **Q:** And your understanding is that
[6] the charter authorizes the Speaker to have
[7] personal responsibility over staff members of
[8] individual councilmembers?
[9] **A:** As I understand it, this charter
[10] makes the Speaker the agency head of the City
[11] Council.
[12] **Q:** Is it your understanding that the
[13] charter specifically states that?
[14] **MR. LEMONEDS:** Objection. Go
[15] ahead.
[16] **A:** As I understand it, the charter
[17] makes the Speaker the agency head.
[18] **Q:** Where do you get your
[19] understanding from?
[20] **MR. LEMONEDS:** Objection to the
[21] degree it calls for privileged
[22] information. I will allow a limited
[23] answer, go ahead.
[24] **A:** It was my operational

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[1] understanding, so to speak, as a councilmember
[2] and that has been re-affirmed for me by staff
[3] since becoming Speaker.
[4] **Q:** To the degree that you know that,
[5] is that an understanding of other
[6] councilmembers?
[7] **A:** I can't —
[8] **Q:** That the Speaker has the
[9] authority over the personnel of their staff?
[10] **MR. LEMONEDS:** Again, objection.
[11] Go ahead.
[12] **A:** You'll have to ask other
[13] councilmembers what their belief is.
[14] **Q:** Have you ever had any discussion
[15] with the councilmembers on the issue of the
[16] authority of the Speaker over staff members of
[17] individual councilmembers?
[18] **A:** Yes.
[19] **Q:** And with whom did you have those
[20] discussions?
[21] **A:** Members of leadership, members of
[22] the Black, Latino and Asian Caucus Executive
[23] Committee, and other members as well.
[24] **Q:** Which members of the Black,

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[1] Latino and Asian Caucus Executive Committee
[2] did you have those discussions with?
[3] **A:** Maria Arroyo, Robert Jackson,
[4] Melissa Mark Viverito. I can't recall the
[5] other members. There may have been other
[6] members of the executive committee there when
[7] I was talking to them, but I can't recall
[8] right now.
[9] **Q:** When did you have those
[10] discussions?
[11] **A:** This summer.
[12] **Q:** What did you discuss with them in
[13] terms of the authority of the Speaker over
[14] staff members of individual councilmembers?
[15] **A:** That the employees were employees
[16] of the City Council, and therefore the Speaker
[17] had authority over them.
[18] **Q:** Did Councilmember Jackson agree
[19] with that analysis?
[20] **MR. LEMONEDS:** Again, objection.
[21] Answer it if you can.
[22] **A:** I discussed it with Robert. He
[23] accepted the information I gave him.
[24] **Q:** Did he indicate whether he agreed

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[1] with it, with that analysis?
[2] **A:** He didn't indicate that he
[3] disagreed, he accepted it. He asked what the
[4] advice, what the staff had determined and I
[5] told him.
[6] **Q:** Your testimony is he just took
[7] it, he didn't reply one way or another? He
[8] didn't say, oh, I agree with this or I
[9] disagree with this?
[10] **A:** I mean, you'll have to ask Robert
[11] Jackson.
[12] **Q:** I'm just asking what do you
[13] remember that he said to you when you
[14] presented —
[15] **A:** I recall no objection to that
[16] information.
[17] **Q:** And what about Councilmember Mark
[18] Viverito?
[19] **A:** Viverito with a V.
[20] **Q:** What did she say when you —
[21] **A:** She also accepted it.
[22] **Q:** And Councilmember Arroyo?
[23] **A:** She accepted it.
[24] **Q:** Did you have a discussion with

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[1] Councilmember Vann?
[2] **A:** Yes.
[3] **Q:** What was his position?
[4] **A:** He said it was an employment
[5] matter, these were employment related issues
[6] and didn't want to discuss it.
[7] **Q:** Did you have a discussion with
[8] Councilmember Barron?
[9] **A:** No.
[10] **Q:** And why not?
[11] **A:** Why didn't I have the discussion
[12] with Councilmember Barron generally about the
[13] powers of the Speaker relating to employees?
[14] **Q:** Yes.
[15] **A:** There was no need to.
[16] **Q:** This discussion was in the
[17] context of Councilmember Barron's staff
[18] members, is that correct?
[19] **A:** Yes.
[20] **Q:** Yet you didn't feel it was
[21] necessary to have a discussion with
[22] Councilmember Barron around one of his staff
[23] members that you were considering terminating?
[24] **A:** Correct.

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C.C. Quinn

[1] **Q:** Why not?
[2] **A:** Because I didn't.
[3] **Q:** You didn't feel as Speaker of the
[4] Council you had the — you at least owed the
[5] councilmember the courtesy of a discussion
[6] around an action you were taking around his
[7] staff member?
[8] **MR. LEMONEDS:** Objection. You
[9] can answer it if you'd like.
[10] **A:** We — I was considering what to
[11] do about a situation that I took very
[12] seriously, a cumulative situation that I took
[13] very seriously.
[14] Councilmember Barron had made
[15] repeated comments that he did not take the
[16] situation seriously, and he thought there was
[17] no problem, nothing inappropriate about what
[18] had happened, in fact, said supportive and
[19] complementary things about what had happened.
[20] So, therefore, I thought there
[21] was clearly no possibility to engage in a
[22] conversation that would yield any serious
[23] reflection on the severity of the situation,
[24] and therefore a discussion of what steps could

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[1] be taken to remedy it.
[2] **Q:** The discussion around the
[3] authority of the Speaker over staff members of
[4] individual councilmembers, do you consider
[5] that a serious issue?
[6] **A:** I'm sorry, can you just repeat
[7] the question?
[8] **Q:** Do you consider the issue of the
[9] authority of the Speaker over the personnel of
[10] individual councilmembers a serious issue?
[11] **A:** I consider all discussions of the
[12] authority of the City Council Speaker serious
[13] issues.
[14] **Q:** And your position is or your view
[15] is that Councilmember Barron didn't see that
[16] as a serious issue?
[17] **MR. LEMONEDS:** Objection,
[18] mischaracterizing the testimony.
[19] **A:** What I said was that
[20] Councilmember Barron did not see the
[21] employment questions relating to the situation
[22] of a person who worked in his office, and the
[23] comments that had been made, and the
[24] cumulative comments and behavior serious.
[25]

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C.C. Quinn

[1] **Q:** What was the cumulative situation
[2] that you referred to?
[3] **A:** I had received numerous
[4] complaints about the behavior of Mrs. Plummer
[5] at committee meetings. I received them from
[6] different staff members — I'm sorry,
[7] different councilmembers.
[8] I received them from the
[9] Executive Committee of the Black, Latino and
[10] Asian Caucus. There had been a disruption by
[11] Mrs. Plummer on the floor of the City Council
[12] in a Stated Meeting.
[13] And then there were statements
[14] made relating to Councilmember Comrie after a
[15] Stated Council Meeting.
[16] And I think the totality of all
[17] of that was very serious.
[18] **Q:** Let's start at the beginning.
[19] What were the numerous complaints that you
[20] received about Mrs. Plummer? Just detail what
[21] they are.
[22] **A:** I received complaints about
[23] Mrs. Plummer disrupting committee meetings
[24] from councilmembers, and from the Executive
[25]

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[1] Committee of the Black, Latino and Asian
[2] Caucus.
[3] **Q:** Let's just walk through one by
[4] one.
[5] **A:** Sure.
[6] **Q:** Who complained to you about what
[7] committee meeting?
[8] **A:** Councilmember Vallone complained,
[9] Councilmember Seabrook complained and, as I
[10] said, the Executive Committee of the Black,
[11] Latino and Asian Caucus complained.
[12] **Q:** What was Councilman Vallone's
[13] complaint?
[14] **A:** Disruptions made at committee
[15] meetings.
[16] **Q:** Did he detail which meetings,
[17] when, how often, what were the nature of the
[18] disruptions?
[19] **MR. LEMONEDS:** Which question do
[20] you want answered?
[21] **MR. WAREHAM:** That's why I'm
[22] going to go back right through it.
[23] **Q:** Did he detail what meeting?
[24] **A:** Councilmember Vallone described
[25]

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C.C. Quinn

[1] disruptions to me. He didn't detail every
[2] single, you know, instance — meeting to me.
[3] **Q:** So which ones did he detail to
[4] you that you remember?
[5] **A:** He told me that there had been
[6] disruptions at meetings, at Public Safety
[7] Committee meetings.
[8] **Q:** Did he indicate how many
[9] meetings?
[10] **A:** Not that I recall, to me.
[11] **Q:** Did he indicate when the meeting
[12] occurred?
[13] **A:** Not to me, though I instructed
[14] that he should, you know, make sure my staff
[15] had all that information.
[16] **Q:** Do you know who he gave that
[17] information to —
[18] **A:** No.
[19] **Q:** — on your staff?
[20] **A:** No.
[21] **Q:** Do you know, would it be Chuck
[22] Meara?
[23] **A:** It could have been a number of
[24] people.
[25]

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C.C. Quinn

- [1] **Q:** Did he indicate what the nature
[2] of the disruption was?
[3] **A:** Verbal outbursts.
[4] **Q:** Did he indicate what the verbal
[5] outbursts were?
[6] **A:** No.
[7] **Q:** Did he indicate what steps he had
[8] taken to deal with that?
[9] **A:** He indicated that he was, you
[10] know, unable to get them to stop and then when
[11] requests were made for the room to be quiet
[12] that they were not taken seriously.
[13] **Q:** So Councilmember Vallone said
[14] that Mrs. Plummer made outbursts during one,
[15] two, three, he didn't detail how many
[16] meetings?
[17] **A:** Not to me.
[18] **MR. LEMONEDES:** Objection to
[19] form.
[20] **Q:** Which committee does he chair?
[21] **A:** Public Safety.
[22] **Q:** According to you, Councilmember
[23] Vallone complained to you that Mrs. Plummer
[24] had made outbursts during a public hearing
[25]

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C.C. Quinn

- [1] meeting or meetings?
[2] **A:** At the Public Safety Committee.
[3] **Q:** Public Safety Committee. More
[4] than one meeting?
[5] **A:** I don't recall.
[6] **Q:** And that the nature of the
[7] outbursts was she yelled out something?
[8] **A:** Correct.
[9] **Q:** Did he have the Sergeant-at-Arms
[10] speak to her, do you know?
[11] **A:** I don't know.
[12] **Q:** But he took some step to address
[13] the outburst and Mrs. Plummer ignored it?
[14] **A:** That's my understanding.
[15] **Q:** Did he indicate whether he had
[16] Mrs. Plummer put out of this meeting where she
[17] made the outburst?
[18] **A:** I don't believe that occurred.
[19] **Q:** Did he as chair of the hearing
[20] have the authority to have Mrs. Plummer
[21] removed from the meeting?
[22] **MR. LEMONEDES:** Objection. You
[23] can answer, if you can.
[24] **Q:** If you know?
[25]

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C.C. Quinn

- [1] **A:** I don't know if a chair could,
[2] they probably could, but they probably
[3] wouldn't do something like that without
[4] checking with the Speaker's office first,
[5] because it's obviously something you would
[6] prefer not to have happened.
[7] **Q:** But to your understanding, when
[8] there is a committee meeting the chair of that
[9] committee has the authority to maintain order
[10] and decorum?
[11] **A:** Yes.
[12] **Q:** And part of that maintenance of
[13] order and decorum is the ability to have
[14] disruptive elements removed, correct?
[15] **MR. LEMONEDES:** Objection. But
[16] you can answer.
[17] **Q:** If you know?
[18] **A:** It would depend on the meeting,
[19] the circumstance, the chair. I can't
[20] speculate.
[21] **Q:** But in your experience, as you've
[22] been on the council for eight years, in your
[23] experience, do the chairs of meetings have the
[24] authority to maintain order in meetings?
[25]

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C.C. Quinn

- [1] **A:** Yes.
[2] **Q:** Councilmember Seabrook, what was
[3] his complaint?
[4] **A:** He complained that there had been
[5] disruptions of Civil Rights Committee meetings
[6] that may have been joint with public safety,
[7] I'm not sure, by Mrs. Plummer.
[8] **Q:** Did Councilmember Seabrook
[9] indicate what the nature of the disruption
[10] was?
[11] **A:** Verbal outbursts also. There may
[12] have been joint Safety and Civil Rights
[13] meetings. I don't recall. They had a lot of
[14] hearings together recently.
[15] **Q:** Did he specify what the —
[16] **A:** No.
[17] **Q:** — what was said?
[18] Did he indicate what steps, if
[19] any, he took to address the outburst?
[20] **A:** Not that I recall.
[21] **Q:** Did he indicate that the outburst
[22] prevented the work of that committee from
[23] being completed that day?
[24] **MR. LEMONEDES:** Objection to
[25]

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[1] **C.C. Quinn**
[2] form. Go ahead.
[3] **A:** We didn't have a conversation
[4] relating to that.
[5] **Q:** Did Councilmember Vallone
[6] indicate whether the outburst prevented the
[7] work of his committee from being completed
[8] that day?
[9] **MR. LEMONEDES:** Again, objection
[10] to form. Go ahead and answer if you
[11] can.
[12] **A:** He said it was difficult to
[13] conduct the meeting. I don't know whether he
[14] was able to finish his business that day or
[15] not.
[16] **Q:** You didn't ask him?
[17] **A:** I know I asked him to follow up
[18] with staff.
[19] **Q:** Did you follow-up with your staff
[20] to find out what the resolution of that had
[21] been?
[22] **A:** We were having conversations. My
[23] staff, the staff and I were having
[24] conversations to try to come up with a plan of
[25] how to deal with the situation, because it was

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[1] **C.C. Quinn**
[2] unprecedented.
[3] **Q:** The discussion with the Executive
[4] Committee of the Black, Latino and Asian
[5] Caucus that you had around these outbursts,
[6] these are the same people you indicated in
[7] your prior question, Arroyo, Jackson, and Mark
[8] Viverito?
[9] **A:** Yes, and I just can't recall
[10] whether the other two members were there. I
[11] think Miguel Martinez was there, but I cannot
[12] say 100 percent.
[13] **Q:** You said that they had complaints
[14] about outbursts by Mr. Plummer?
[15] **A:** Yes.
[16] **Q:** Did they indicate when?
[17] **A:** No, just a general concern.
[18] **Q:** And a general concern was
[19] outbursts at Stated meetings, outbursts at
[20] committee meetings, outburst walking down the
[21] hall of 250 Broadway?
[22] **MR. LEMONEDES:** Objection to
[23] form.
[24] **MR. WAREHAM:** Okay, I understand.
[25] **A:** Committee meetings.

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[1] **C.C. Quinn**
[2] **Q:** Committee meetings that they
[3] chaired?
[4] **A:** I'm not sure if Larry Seabrook
[5] was in that meeting or not. I believe he was,
[6] so it would have been one he chaired and the
[7] others were not necessarily ones they chaired,
[8] no.
[9] **Q:** Is it possible that they were all
[10] talking about the same meeting where
[11] Councilmember Vallone and Councilmember
[12] Seabrook co-chaired a meeting on police Stop
[13] and Frisk activity?
[14] **A:** You would have to ask them.
[15] **Q:** But you're not sure?
[16] **A:** They talked about a general
[17] situation, I can't speculate.
[18] **Q:** You summed it up as cumulative
[19] though, right? You summed up the outbursts as
[20] being part of a cumulative situation?
[21] **MR. LEMONEDES:** Objection to
[22] form.
[23] **A:** I'm not sure you're stating what
[24] I said correctly.
[25] **Q:** All right. Your testimony is

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[1] **C.C. Quinn**
[2] that you received complaints about outbursts
[3] about Mrs. Plummer from Councilmember Vallone
[4] and it may have been more than one meeting,
[5] Councilmember Seabrook and it may have been
[6] more than one meeting, the Executive Committee
[7] of the Black, Latino and Asian Caucus,
[8] correct?
[9] **A:** Correct.
[10] **Q:** You summed up that Mrs. Plummer's
[11] activities, that those complaints were part of
[12] what you summed up as a cumulative situation?
[13] **A:** That's not what I said. The
[14] question relating to the Speaker and the
[15] employees and why I didn't speak to
[16] Councilmember Barron which was — came later
[17] in the time line, I discussed as at that
[18] moment of time being cumulative.
[19] **Q:** When did you receive these
[20] complaints?
[21] **A:** This year.
[22] **Q:** Throughout the year?
[23] **A:** I don't remember the date they
[24] were.
[25] **Q:** Do you remember when you received

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C.C. Quinn

[1] the first complaint? Do you remember who made
[2] the first complaint?
[3] **A:** Councilmember Vallone.
[4] **Q:** How soon after that did you
[5] receive the next complaint?
[6] **A:** I don't recall.
[7] **Q:** At the point in time you received
[8] the complaint did you speak to Mrs. Plummer
[9] about it?
[10] **A:** No.
[11] **Q:** Did you have any of your staff
[12] speak to Mrs. Plummer about it?
[13] **A:** No.
[14] **Q:** Did you suggest that
[15] Councilmember Vallone speak to Mrs. Plummer
[16] about it?
[17] **A:** No.
[18] **Q:** Why not?
[19] **A:** He had come to the Speaker's
[20] office for the Speaker's office to take
[21] action, and we were deciding how to deal with
[22] the situation.
[23] **Q:** Why didn't you speak to
[24] Mrs. Plummer about it?
[25]

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C.C. Quinn

[1] **A:** Because we hadn't decided how to
[2] handle the situation.
[3] **Q:** And part of the decision on how
[4] to handle the situation was whether or not you
[5] had the authority to discipline staff of
[6] individual councilmembers?
[7] **A:** Which problem are you referring
[8] to?
[9] **Q:** The one brought to you by
[10] Councilmember Vallone about outbursts at his
[11] committee meeting?
[12] **MR. LEMONEDES:** Objection to
[13] form. I'm not clear on what you're
[14] asking, I'm sorry.
[15] **Q:** You stated that you were
[16] addressing, you were deciding how to address
[17] the situation with Mrs. Plummer.
[18] **A:** At what point, sir?
[19] **Q:** At the point when Councilmember
[20] Vallone made a complaint, right, you were
[21] deciding how to address it, that's what you
[22] stated.
[23] **A:** After he made that complaint.
[24] **Q:** After he made the complaint,
[25]

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C.C. Quinn

[1] right. Okay.
[2] Was part of the assessment on
[3] what authority could the Speaker discipline a
[4] staff member of an individual councilmember?
[5] **A:** At that moment?
[6] **Q:** Yes.
[7] **A:** No.
[8] **Q:** You were clear even then that you
[9] had the authority to do that?
[10] **A:** It wasn't a question then.
[11] **Q:** Was it ever a question whether
[12] the Speaker —
[13] **A:** Relating to what?
[14] **Q:** Was it ever a question whether
[15] the Speaker had the authority to discipline a
[16] member of an individual staff member, was that
[17] ever a question to you?
[18] **A:** In what regard? It's a very open
[19] ended question.
[20] **Q:** When it came to the question of
[21] Mrs. Plummer's behavior vis-a-vis what
[22] Councilmember Vallone had brought to you —
[23] are you following me?
[24] **A:** Yes, sir.
[25]

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C.C. Quinn

[1] **Q:** — was your authority to
[2] discipline Mrs. Plummer ever an issue? Was
[3] that an issue as far as you were concerned?
[4] **A:** No, at that point, no.
[5] **Q:** Councilmember Vallone brought
[6] that to you, was it in May, was it —
[7] **A:** I told you I don't recall.
[8] **Q:** Was it prior to the Stated
[9] Meeting of May 30th, 2007?
[10] **A:** Yes.
[11] **Q:** It was prior to the Stated
[12] meeting?
[13] **A:** Yes.
[14] **Q:** At that point, you were clear
[15] that you had the authority to discipline
[16] Councilmember Barron's staff members?
[17] **A:** On May 30th?
[18] **Q:** Prior to the Stated Meeting of
[19] May 30th, 2007?
[20] **A:** That's not what I said.
[21] **Q:** Well, I'm asking you.
[22] **A:** It wasn't a question. It wasn't
[23] a question related to the matter.
[24] **Q:** Let's walk through this again.
[25]

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C.C. Quinn

[1] [2] Prior to the Stated Meeting on May 30th, 2007,
[3] Councilmember Vallone brought a complaint to
[4] you about Mrs. Plummer?

[5] **A:** Correct.

[6] **Q:** You were making an assessment on
[7] how to deal with it?

[8] **A:** Yes.

[9] **Q:** My question to you was —

[10] **A:** Oh, I'm sorry, yes.

[11] **Q:** My question to you was, did part
[12] of that assessment involve your authority to
[13] discipline Mrs. Plummer as a staff member of
[14] Councilmember Barron prior to the Stated
[15] Meeting of May 30th, 2007?

[16] **A:** That wasn't a matter that was
[17] researched prior to that, no. It wasn't a
[18] question relevant to at that moment in time.

[19] **Q:** Was part of your assessment that
[20] Mrs. Plummer might have to be disciplined for
[21] her outbursts?

[22] **A:** I'm sorry, can you say that
[23] again?

[24] **Q:** Was part of your assessment of
[25] how to deal with the situation with

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C.C. Quinn

[1] [2] Mrs. Plummer prior to the Stated Meeting of
[3] May 30th, 2007 that she might have to be
[4] disciplined for her outbursts?

[5] **A:** We were assessing what we needed
[6] to do. We had not made a decision.

[7] **Q:** But part of your assessment
[8] involved a situation where Councilmember
[9] Vallone said to you that Mrs. Plummer had made
[10] an outburst, that he had addressed it, and
[11] that she had ignored it?

[12] **A:** Something like that, yes.

[13] **Q:** So it was not an issue of
[14] Mrs. Plummer made an outburst and
[15] Councilmember Vallone just let it go, correct?

[16] **MR. LEMONEDES:** Objection to
[17] form.

[18] **A:** No, he complained about it.

[19] **Q:** And he also made it clear to
[20] Mrs. Plummer that he was upset, that he had a
[21] problem with her behavior and that she just
[22] ignored him.

[23] **MR. LEMONEDES:** Objection.

[24] **A:** I can't answer what was or was
[25] not clear to Mrs. Plummer.

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C.C. Quinn

[1] [2] **Q:** But what was clear to
[3] Councilmember Vallone was that he brought it
[4] to her attention and that she had ignored it?

[5] **A:** I cannot address what was or was
[6] not clear to Councilmember Vallone. He'll
[7] have to answer that himself.

[8] **Q:** Councilmember Vallone told you
[9] that he had brought — he had told
[10] Mrs. Plummer or had taken steps to, about
[11] Mrs. Plummer's outbursts, and that she had
[12] ignored it at that meeting.

[13] **A:** Chairperson Vallone said he had
[14] tried to keep order and was unable to.

[15] **Q:** But the order was around the
[16] question of Mrs. Plummer's outbursts?

[17] **A:** Correct, correct.

[18] **Q:** You then were making an
[19] assessment of how to deal with Mrs. Plummer's
[20] outbursts, and would it be fair to say,
[21] refusal to abide by the instructions of the
[22] chair at Councilmember Vallone's meeting?

[23] **A:** Yes. And during that assessment,
[24] during that time of thought or reflection
[25] et cetera, other complaints came in.

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C.C. Quinn

[1] [2] **Q:** Were those complaints prior to
[3] the Stated Meeting of May 30th?

[4] **A:** I believe so, yes.

[5] **Q:** Therefore, did part of your
[6] assessment look at what authority does the
[7] Speaker have to discipline Mrs. Plummer as a
[8] staff member of Charles Barron?

[9] **MR. LEMONEDES:** Objection to form
[10] just based on the amount of time. If
[11] you're trying to say prior to —

[12] **MR. WAREHAM:** Prior to the Stated
[13] Meeting of May 30th, 2007, that's what
[14] we're talking about right now.

[15] **MR. LEMONEDES:** Thank you very
[16] much.

[17] **A:** This was an unprecedented
[18] situation to get complaints about a staff
[19] member disrupting committee meetings. It had
[20] never happened before, certainly in the time
[21] that I was Speaker, and I had no knowledge of
[22] it ever happening before. We were trying to
[23] figure out how to handle it.

[24] **Q:** I understand. My question is, in
[25] terms of looking at the options available,

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[1] were one of the options considered your
[2] ability as Speaker to discipline Mrs. Plummer
[3] who was a staff member of Councilman Barron,
[4] was that one of the options you looked at?
[5] **A:** We were, prior to May 30th,
[6] really beginning to figure out what our
[7] options were.
[8] **Q:** Okay. Does that mean that one of
[9] those options you were considering was whether
[10] or not you as Speaker could discipline
[11] Mrs. Plummer?
[12] **A:** There weren't a clear set of
[13] options prior to that Stated Meeting that we
[14] were considering. We were generally trying to
[15] figure out how to deal with the situation.
[16] But it wasn't like there was a, you know, an A
[17] to D set of options that were in front of me
[18] that I was considering.
[19] **Q:** But your view as, from your
[20] perspective that the City Council was an
[21] agency, that you had as an agency head, your
[22] view was that you could discipline
[23] Mrs. Plummer?
[24] **MR. LEMONEDES:** Objection to

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[1] form. You can answer.
[2] **A:** You're misstating what I said. I
[3] said that the City Council was an agency and a
[4] legislative body. So I didn't — so your
[5] characterizations of what my thought processes
[6] were would not be correct.
[7] **Q:** But you're very clear that an
[8] agency head has the authority to discipline
[9] his or her employees?
[10] **A:** Different agencies may have
[11] stipulations within that but, yes, agency
[12] heads are the employer of the agency.
[13] **Q:** And your view was that the City
[14] Council was both a legislative body and an
[15] agency?
[16] **A:** That is my view.
[17] **Q:** And it was your view prior to the
[18] Stated Meeting of May 30th, 2007?
[19] **A:** Correct.
[20] **Q:** You said that it was your view
[21] almost from the inception of your tenure at
[22] City Council?
[23] **A:** Correct.
[24] **Q:** And so that for you the issue —

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C.C. Quinn

[1] your ability to discipline Mrs. Plummer was
[2] really never an issue, right?
[3] **MR. LEMONEDES:** Objection.
[4] **Q:** Excuse me. Your authority to
[5] discipline Mrs. Plummer was never really an
[6] issue?
[7] **MR. LEMONEDES:** Objection. Go
[8] ahead, you can answer it.
[9] **Q:** Prior to May 30th, 2007?
[10] **A:** The question of — or the
[11] situation that had occurred of a staff member
[12] disrupting Stated Meetings — I'm sorry,
[13] disrupting committee meetings, disrupting a
[14] Stated Meeting, making, you know, incredibly
[15] inappropriate comments about a sitting
[16] councilmember, none of that had ever happened
[17] before in the New York City Council. It was
[18] unprecedented.
[19] And when you have unprecedented
[20] things occur, you have to assess the situation
[21] more thoroughly. And we were unfortunately in
[22] an unprecedented waters.
[23] **Q:** But first off, I was speaking to
[24] you about prior to the Stated Meeting of

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C.C. Quinn

[1] May 30th, 2007.
[2] **A:** Well, you asked me my general
[3] believe about my powers so I —
[4] **Q:** Well, I was asking prior to
[5] May 30th, 2007, in terms of your view that the
[6] Speaker is an agency head, and that as an
[7] agency head you have power over all the
[8] employees of that agency.
[9] **MR. LEMONEDES:** Can you just
[10] rephrase the question, because it
[11] sounded more like a statement. I just
[12] want the record to be clear.
[13] **Q:** Your view, from my understanding,
[14] is that the City Council is both a legislative
[15] body and an agency?
[16] **A:** Yes.
[17] **Q:** And that the Speaker derives her
[18] authority over staff members of individual
[19] councilmembers as an agency head?
[20] **A:** Prior to May 30th, I believe the
[21] Council, as I still do, the Council is a
[22] legislative body and an agency.
[23] And I believe that the Speaker,
[24] and I still do, is the head of the legislative

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[1] body and the head of an agency.
[2] In my term as City Council
[3] Speaker, the complaints about Mrs. Plummer
[4] were the first I had ever gotten of that
[5] nature about an employee who worked for an
[6] individual councilmember. We then began
[7] researching the situation of what the powers
[8] of the Speaker were pursuant to that. It was
[9] unprecedented. This had never happened
[10] before.
[11] **Q:** And at what point did you get
[12] confirmation of your view that you had the
[13] authority to discipline the staff member of an
[14] individual councilmember?
[15] **A:** At some point in June or July.
[16] I'm not sure exactly the date.
[17] **Q:** Do you remember having or holding
[18] a press conference on June 5th, 2007 where the
[19] issue came up around Mrs. Plummer and Charles
[20] Barron?
[21] **A:** Yes.
[22] **Q:** Do you remember in response to a
[23] question around what steps you were going to
[24] take on Mrs. Plummer, your concern around what
[25]

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C.C. Quinn

[1] your legal options as a Speaker were?
[2] **MR. LEMONEDES:** Objection. But
[3] you can answer it again.
[4] **A:** There were, you know, a number of
[5] press conferences where I was asked about the
[6] situation with Mrs. Plummer. I can't tell you
[7] definitively that it was the June 5th press
[8] conference. But I do recall press conferences
[9] where I was asked questions about the
[10] situation, and about the status of the
[11] decision making.
[12] **Q:** Do you remember responding in
[13] answer to a question, a partial response, "As
[14] it relates to Ms. Plummer we are researching
[15] what our legal options are as a speaker and as
[16] an institution to take action. We want to
[17] make sure that we understand the parameters of
[18] what our options are since she does not work
[19] for me. She works for a separate, you know,
[20] independent councilmember?"
[21] **MR. LEMONEDES:** Objection to
[22] form, but go ahead.
[23] **Q:** Do you remember making that
[24] response?
[25]

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C.C. Quinn

[1] **A:** As I said, there were numerous
[2] press conferences where I was asked questions.
[3] I mean, I can't say I remember saying those
[4] exact words. I remember giving, you know,
[5] similar answers to that question at different
[6] press conferences.
[7] **Q:** Was that an accurate reflection
[8] of your position at that point in time, and
[9] this was on June 5th, 2007?
[10] **A:** It was accurate to say that we
[11] were researching the situation. It's accurate
[12] to say that we wanted to be thoughtful and
[13] careful, because Mrs. Plummer was an employee
[14] of Councilmember Barron. But it's also fair
[15] to say that she was also an employee of the
[16] New York City Council.
[17] And I believe that when I spoke
[18] about the situation, I attempted to make
[19] clear, one, that we took the situation
[20] seriously. Two, that it was unprecedented and
[21] we needed to be very thoughtful and careful
[22] and understanding in our research before we
[23] took action. Three, that it was, you know, we
[24] needed to do that because of the nature of
[25]

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[1] Mrs. Plummer working for Councilmember Barron.
[2] But also, I believe, that I
[3] always made clear, that I believe that the
[4] employees had a relationship as employees to
[5] the Council as an institution.
[6] **Q:** But let me just — this will be
[7] marked as Plaintiff's 15.
[8] **MR. WAREHAM:** It's the same one,
[9] so we can use that.
[10] **MR. MARKS:** It's Bates stamped
[11] DO 782 on one side and DO 783 on the
[12] other.
[13] **MR. WAREHAM:** Thank you.
[14] **THE WITNESS:** Can I look at this,
[15] sir?
[16] **MR. WAREHAM:** Sure, I'm going to
[17] give it to you.
[18] **MR. LEMONEDES:** I want you to
[19] look at the original one, but here it
[20] is.
[21] **MR. WAREHAM:** Here you go it.
[22] **MR. LEMONEDES:** Here's the one
[23] that's marked. You can look at that
[24] one. So we have a clear record of
[25]

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[1] **C.C. Quinn**
[2] exactly with you're saying.
[3] **Q:** So in this press conference, this
[4] statement, the particular one that I was
[5] referring to, you were very clear that
[6] Mrs. Plummer did not work for you?
[7] **MR. LEMONEDES:** Objection to
[8] form.
[9] **Q:** Your statement is, "We want to
[10] make sure that we understand the parameters of
[11] what our options are since she does not work
[12] for me". Is that what you said?
[13] **A:** That is what — part of what I
[14] said in here, yes. But I also said in here
[15] that I was, that research was being done to
[16] find out what the Speaker's powers were
[17] pursuant to this situation so —
[18] **Q:** Certainly. But your
[19] understanding was that she did not work for
[20] you?
[21] **A:** My understanding was I needed
[22] more information.
[23] **Q:** But your understanding at that
[24] point in time according to your statement was
[25] she did not work for you?

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[1] **C.C. Quinn**
[2] **MR. LEMONEDES:** Again, objection
[3] to form.
[4] **A:** I think my statement was both
[5] that she worked for Councilmember Barron, and
[6] that I needed more information on exactly the
[7] relationship of her employment to the Speaker,
[8] so to speak. So I think that there's two
[9] things in here.
[10] **Q:** But your prior testimony is that
[11] you were clear that the City Council was an
[12] agency that you were the head of?
[13] **A:** Correct, and that it was a
[14] legislative body. I think the two statements
[15] in here reflect that dual nature.
[16] **Q:** Let me just go back for a second.
[17] The complaint that Councilmember Vallone
[18] brought to your attention about Mrs. Plummer,
[19] did you speak to Councilmember Barron about
[20] that, and was that one of the options you were
[21] considering in terms of how to deal with it?
[22] **A:** As I said before, we hadn't kind
[23] of delineated what all of the options were
[24] going to be.
[25] **Q:** Did you speak to Councilmember

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[1] **C.C. Quinn**
[2] Barron about Councilmember Vallone's complaint
[3] about Mrs. Plummer?
[4] **A:** I did not.
[5] **Q:** Did any of your staff speak to
[6] Councilmember Barron about that?
[7] **MR. LEMONEDES:** Objection to
[8] form.
[9] **Q:** If you know?
[10] **A:** Not to my knowledge.
[11] **Q:** Did you instruct any of your
[12] staff to speak to Councilmember Vallone about
[13] the disruptive behavior of his employee at a
[14] committee meeting?
[15] **A:** Councilmember Vallone, no.
[16] **Q:** Councilmember Barron, excuse me.
[17] **A:** No.
[18] **Q:** Why not?
[19] **A:** Because we hadn't determined yet
[20] what course of action we were going to take or
[21] what the options were.
[22] **Q:** As Mrs. Plummer was Councilmember
[23] Barron's staff member, wouldn't it have been a
[24] simple courtesy to speak to Councilmember
[25] Barron that there is a complaint around the

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[1] **C.C. Quinn**
[2] activity of your staff member at the committee
[3] meeting?
[4] **A:** We hadn't decided what our course
[5] of action was going to be, and we weren't
[6] going to take any action until we determined
[7] what our full course of action was going to
[8] be.
[9] **Q:** Well, at the time of the
[10] complaint from Councilmember Vallone, that was
[11] the first complaint, correct?
[12] **A:** I think so, yes.
[13] **Q:** So there wasn't any cumulative
[14] history at that point, correct?
[15] **A:** They came in after that.
[16] **Q:** But at the point they came,
[17] Thursday Friday, Monday Tuesday, back to back?
[18] **A:** I don't know when Councilmember
[19] Seabrook came in as it relates to the sequence
[20] of Councilmember Vallone. He came in after,
[21] but I can't tell you it was the next day.
[22] **MR. WAREHAM:** Can we take a quick
[23] break?
[24] (Recess 11:27 until 11:37 a.m.)
[25] **Q:** Are you familiar with the term

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C.C. Quinn

- [1] discretionary funds?
- [2] **A:** Yes.
- [3] **Q:** What are they?
- [4] **A:** Well, I think what you're
- [5] referring to is what's also called member
- [6] items in the budget, which are allocations
- [7] that councilmembers get to give to
- [8] organizations in their district. Some can go
- [9] through any city agency, some are specified
- [10] for the Department for the Aging and the
- [11] Department for Youth.
- [12] **Q:** Who decides the amount each
- [13] councilmember can get from that fund?
- [14] **A:** The Speaker. There's a minimum,
- [15] no one gets less than \$80,000. I'm sorry, no
- [16] one gets less than \$80,000 in the open-ended
- [17] ones. In the Department for the Aging and the
- [18] Youth, there is a set amount. I don't recall
- [19] what that is, but that is set. It is the same
- [20] for everybody.
- [21] **Q:** So there's a minimum that every
- [22] councilmember gets. Is there a cap in terms
- [23] of a maximum?
- [24] **A:** No.
- [25]

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C.C. Quinn

- [1] **Q:** And the amount that each member
- [2] gets is decided by the Speaker?
- [3] **A:** Beyond the two set pots, yes.
- [4] **Q:** And what are the criteria —
- [5] well, let me ask you, when was the last
- [6] distribution of member items?
- [7] **A:** The budget.
- [8] **Q:** The budget. What was the range,
- [9] what was the minimum, what was the maximum, if
- [10] you remember?
- [11] **A:** I don't remember.
- [12] **Q:** Well, you said no one got below
- [13] \$80,000?
- [14] **A:** Correct.
- [15] **Q:** Do you remember if the maximum
- [16] was \$500,000?
- [17] **A:** I don't recall.
- [18] **Q:** You don't recall. You have no
- [19] idea?
- [20] **A:** I don't recall what the maximum
- [21] was.
- [22] **Q:** Was there a spread between —
- [23] were there some members that received at least
- [24] \$400,000?
- [25]

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C.C. Quinn

- [1] **A:** I don't recall the maximum.
- [2] **Q:** What criteria do you use as
- [3] Speaker to determine the amount that a member
- [4] will get from that fund?
- [5] **A:** There's numerous factors.
- [6] **Q:** Is one of the factors that are
- [7] considered support received by the Speaker on
- [8] different issues that are important to the
- [9] Speaker?
- [10] **A:** No.
- [11] **Q:** Are one of the factors considered
- [12] loyalty to the Speaker?
- [13] **A:** No.
- [14] **Q:** What are the numerous factors
- [15] that are considered?
- [16] **A:** Well, there's many. Some are
- [17] what amount of money that councilmember got —
- [18] had been getting when I became Speaker. You
- [19] know, what was the precedent, so to speak.
- [20] The groups in question, their track record,
- [21] their focus, how effective they have been,
- [22] things like that.
- [23] **Q:** And would each councilmember make
- [24] a proposal to you in terms of why they think
- [25]

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C.C. Quinn

- [1] they should receive a certain amount of
- [2] funding?
- [3] **A:** No.
- [4] **Q:** How is it done, how do you
- [5] determine, what form does the proposal come
- [6] to?
- [7] **A:** It varies.
- [8] **Q:** So it's formal and informal. Is
- [9] it written?
- [10] **A:** Usually — yes, it is written.
- [11] Yes, it is written.
- [12] **Q:** Is there a particular amount
- [13] requested for each group?
- [14] **A:** Usually.
- [15] **Q:** Does the councilmember just ask
- [16] for a one amount or —
- [17] **A:** No.
- [18] **Q:** — does he or she specify for
- [19] each group?
- [20] **A:** For each group they usually
- [21] specify an amount.
- [22] **Q:** Are you familiar with the
- [23] procedure for co-naming of streets?
- [24] **A:** Yes.
- [25]

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C.C. Quinn

- [1] **Q:** Can you describe what that is?
- [2] **A:** The procedure was — it's a
- [3] legislative procedure. It's a piece of
- [4] legislation, a bill, an introduction.
- [5] **Q:** Can you just describe how that
- [6] works, what's the process, how does a street
- [7] co-naming get introduced?
- [8] **A:** A member puts in a legislative
- [9] request, all of the street co-namings are
- [10] grouped together. We only do a few a year
- [11] now, as opposed to each one being its own
- [12] bill. It's written up into legislation.
- [13] **Q:** And during the time that you've
- [14] been on the Council, did that package
- [15] uniformly go through, always go through?
- [16] **MR. LEMONEDES:** Objection.
- [17] **A:** You have to be more specific.
- [18] **Q:** Prior to the Stated Meeting of
- [19] May 30th, 2007, when a councilmember put
- [20] forward — when that package was put together
- [21] of proposed street co-namings, was that always
- [22] passed?
- [23] **MR. LEMONEDES:** Objection to
- [24] form.
- [25]

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C.C. Quinn

- [1] **A:** It wasn't always a package. The
- [2] prior Speaker and at the beginning of Speaker
- [3] Miller's term there were individual bills.
- [4] **Q:** Prior to the Stated Meeting of
- [5] May 30th, 2007, to your knowledge, was a name
- [6] that had been proposed by a councilmember ever
- [7] removed from the package?
- [8] **A:** No, but a street renaming
- [9] proposed by a member as an individual bill was
- [10] voted down.
- [11] **Q:** When was that?
- [12] **A:** I don't know the year. It was
- [13] introduced by former Councilmember Jose
- [14] Rivera, now Assembly Member.
- [15] **Q:** Do you remember why it was voted
- [16] down, were you part of that vote?
- [17] **A:** I'm not sure, I don't think I was
- [18] part of it. I am not 100 percent sure.
- [19] **Q:** Do you remember who the person
- [20] was?
- [21] **A:** It was a musical performer, but I
- [22] don't remember the name.
- [23] **Q:** This is when they were introduced
- [24] individually?
- [25]

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C.C. Quinn

- [1] **A:** Correct.
- [2] **Q:** But since the time when it's been
- [3] voted as a package, has a name ever been
- [4] removed from a package?
- [5] **A:** Not to my knowledge.
- [6] **Q:** Is the rationale for that that
- [7] the Council recognizes and respects the wishes
- [8] of each councilmember who submits those name?
- [9] **MR. LEMONEDES:** Objection to
- [10] form. Go ahead.
- [11] **A:** No.
- [12] **Q:** What's the rationale for the
- [13] voting of the entire package?
- [14] **A:** There was agreement on — well, I
- [15] don't know that every member voted for every
- [16] package unanimously.
- [17] But for argument's sake, for
- [18] those who voted in the affirmative it was
- [19] because they agreed with all of the street
- [20] re-namings that were in the package.
- [21] I should actually — I should
- [22] rephrase that. That was why I voted for the
- [23] packages. Why individuals, other members did,
- [24] they would have to speak for themselves.
- [25]

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C.C. Quinn

- [1] **Q:** In April of this year, there was
- [2] a package, I believe, was it 556?
- [3] **A:** I don't know.
- [4] **Q:** It was an Intro that included the
- [5] name of Sonny Carson, for four blocks in
- [6] Bedford Stuyvesant to be co-named after Sonny
- [7] Carson.
- [8] **A:** Yes.
- [9] **Q:** At some point you expressed your
- [10] opposition to that co-naming?
- [11] **MR. LEMONEDES:** Objection to
- [12] form. Go ahead.
- [13] **A:** Yes, prior to the introduction.
- [14] **Q:** Prior to the introduction. What
- [15] drew your attention to the name Sonny Carson?
- [16] **A:** I'm sorry, I don't understand.
- [17] **Q:** Why did Sonny Carson — I mean,
- [18] brought Sonny Carson to your attention?
- [19] **A:** I was informed by my staff that
- [20] there had been, that the street re-naming bill
- [21] was going to include Sonny Carson's name.
- [22] **Q:** And did you know Sonny Carson?
- [23] **A:** Personally, no.
- [24] **Q:** Had you ever met Sonny Carson?
- [25]

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[1] **C.C. Quinn**
[2] **A:** No, I don't think so.
[3] **Q:** Your staff drew your attention to
[4] the fact that Sonny Carson's name was part of
[5] the package and, therefore, why did you oppose
[6] it?
[7] **A:** I opposed that street renaming
[8] because I didn't agree with it. He was not an
[9] individual I thought deserved that
[10] governmental honor.
[11] **Q:** And that was a personal
[12] individual position?
[13] **MR. LEMONEDS:** Wait. We're
[14] getting way far afield of what this
[15] litigation should be about. What the
[16] Speaker's personal opinion about
[17] Mr. Carson is, is not relevant to this
[18] lawsuit.
[19] I'll allow some limited questions
[20] on it, but I'm not going to make this
[21] all about the renaming.
[22] **MR. WAREHAM:** I don't think we
[23] can separate the renaming from the
[24] basis of this lawsuit.
[25] **MR. LEMONEDS:** Again, I'm going

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[1] **C.C. Quinn**
[2] to allow some limited questions, but
[3] we're not going to go into a whole
[4] background of this. What happened at
[5] the Stated Meeting is what happened at
[6] the Stated Meeting.
[7] **MR. WAREHAM:** But we can't
[8] separate what happened at the Stated
[9] Meeting from what proceeded the Stated
[10] Meeting.
[11] **MR. LEMONEDS:** Well, you spent
[12] over an hour talking about what
[13] proceeded. I'm not going to go into
[14] politics about Sonny Carson. That's
[15] not what this case is about.
[16] **MR. WAREHAM:** What we spent the
[17] past hour talking about were the —
[18] **MR. LEMONEDS:** I'm just saying,
[19] I'm not going to allow this deposition
[20] to be about the politics that concern
[21] Sonny Carson, okay.
[22] I'll allow you some questions for
[23] all the background, for everything
[24] that's relevant under Federal Rule of
[25] Evidence 26, or anything that could be

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[1] **C.C. Quinn**
[2] leading to admissible testimony. But
[3] we are not going to go beyond that.
[4] And at some point I will ask that we
[5] stop. I'm just trying to let you know
[6] where we stand.
[7] **MR. WAREHAM:** Okay.
[8] **MR. LEMONEDS:** Okay. Please ask
[9] the next question so we can move on.
[10] **MR. WAREHAM:** Okay.
[11] **Q:** What was the criteria that you
[12] used for your opposition to Sonny Carson?
[13] **A:** I didn't believe Sonny Carson
[14] deserved the very significant government
[15] recognition, permanent government recognition,
[16] that goes along with having a street renamed
[17] in your honor.
[18] **Q:** Was part of that criteria that
[19] you felt he had been divisive?
[20] **A:** I felt he had been divisive. I
[21] had believed there was a long record of him
[22] being divisive in the City of New York.
[23] **Q:** Had that been the practice in
[24] terms of the prior co-namings? Had
[25] divisiveness been a criterion for the prior

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[1] **C.C. Quinn**
[2] co-naming, if you know?
[3] **MR. LEMONEDS:** Objection to
[4] form.
[5] **A:** Whenever streets were re-named,
[6] there was always an attempt to name them for
[7] individuals who deserved that governmental
[8] honor.
[9] **Q:** Did you view Martin Luther King
[10] as being divisive?
[11] **A:** No.
[12] **Q:** In your view, were there people
[13] in New York City who viewed Martin Luther King
[14] as being divisive?
[15] **MR. LEMONEDS:** Objection.
[16] **A:** I can't speak to what other
[17] people think of other people.
[18] **Q:** Are you familiar with Joseph
[19] Doherty?
[20] **A:** Yes, not personally.
[21] **Q:** Is there a street named after him
[22] in New York City, if you know?
[23] **A:** I don't know.
[24] **Q:** If I told you there was a street
[25] named after Joseph Doherty in New York would

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C.C. Quinn

[1] you be well —
[2] **MR. LEMONEDS:** I'd be making an
[3] objection.
[4] **Q:** Do you know who Joseph Doherty?
[5] **A:** I already stated I do.
[6] **Q:** Okay. And who was Joseph Doherty
[7] or who is Joseph Doherty?
[8] **A:** He was an individual who was
[9] engaged in efforts around freedom in the North
[10] of Ireland.
[11] **Q:** He was a member of the Irish
[12] Republican Army, is that correct?
[13] **A:** I don't know whether he was or
[14] was not.
[15] **Q:** And he was convicted of killing
[16] two British soldiers, is that correct?
[17] **A:** He was convicted, yes.
[18] **Q:** And he was arrested in the United
[19] States?
[20] **A:** Yes.
[21] **Q:** And he was a prisoner in the
[22] Metropolitan Corrections Center?
[23] **A:** Yes.
[24] **Q:** And would you consider him a

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C.C. Quinn

[1] divisive figure?
[2] **MR. LEMONEDS:** Again, objection.
[3] And please don't answer. We're not
[4] going into this area. I instruct the
[5] witness not to answer. Go ahead.
[6] **Q:** Do you know that there is a
[7] street named after Joseph Doherty right
[8] besides Metropolitan Correctional Center?
[9] **MR. LEMONEDS:** Objection.
[10] Assumes facts in evidence.
[11] **A:** I answered that before. I don't
[12] know if there is or isn't a street co-named
[13] for Joseph.
[14] **Q:** Do you know who Malcolm X is?
[15] **A:** Yes.
[16] **Q:** Do you consider him a divisive
[17] figure?
[18] **A:** No.
[19] **MR. LEMONEDS:** Again an
[20] objection.
[21] **Q:** Do you know that there's a street
[22] in Brooklyn named after Malcolm X?
[23] **A:** Yes.
[24] **Q:** Do you know that Malcolm X, at

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C.C. Quinn

[1] one point, called white people blue-eyed
[2] devils?
[3] **A:** I don't know that.
[4] **MR. LEMONEDS:** Again an
[5] objection.
[6] **Q:** Do you know who Al Jolson is?
[7] **A:** Yes.
[8] **Q:** And who is Al Jolson?
[9] **A:** A performer, an artistic
[10] performer.
[11] **Q:** An artistic performer who
[12] performed in black face?
[13] **A:** At times.
[14] **Q:** But that was the high point of
[15] his career, is that correct?
[16] **MR. LEMONEDS:** Objection.
[17] **MR. MARKS:** We can go through his
[18] whole theatrical and film career if you
[19] want to know what his high point was.
[20] **Q:** Did you put forward Al Jolson's
[21] name for a street co-naming?
[22] **A:** Yes.
[23] **Q:** Was that passed?
[24] **A:** Yes.

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C.C. Quinn

[1] **Q:** Once you concluded that you had a
[2] problem with Sonny Carson's co-naming, what
[3] did you do?
[4] **A:** The first thing I did was request
[5] that a meeting be set up with Councilmember
[6] Vann who was the sponsor of the street
[7] re-naming to tell him personally that I
[8] objected to it.
[9] **Q:** And then after that, what did
[10] Councilman Vann say?
[11] **A:** He said basically we would have
[12] to agree to disagree. And that he was going
[13] to be introducing it.
[14] **Q:** And did you take any steps with
[15] the Parks and Recreations Committee?
[16] **A:** No.
[17] **Q:** Did the Parks and Recreations
[18] Committee vote to remove Sonny Carson's name
[19] from the package?
[20] **A:** Yes.
[21] **Q:** Prior to the meeting of the parks
[22] and recreation — of that meeting were the
[23] Parks and Recreations Committee removed Sonny
[24] Carson's name from that package, did you speak

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[1] **C.C. Quinn**
[2] with members of that committee about your
[3] opposition to Sonny Carson's name being
[4] included?
[5] **MR. LEMONEDES:** Objection to
[6] form. But go ahead.
[7] **A:** I spoke to Tish James the day of
[8] the vote, just to see how she was doing,
[9] because I thought it would be a difficult vote
[10] for her.
[11] **Q:** Why did you think it would be a
[12] difficult vote for her?
[13] **A:** Because I had heard that she was
[14] torn about what to do.
[15] **Q:** And when you spoke to her, did
[16] you tell her that you opposed Sonny Carson's
[17] name being in that package?
[18] **A:** She knew that I opposed it.
[19] **Q:** How did you she know that?
[20] **A:** She had heard. I think it was in
[21] the papers at that point.
[22] **Q:** You had spoken to the papers
[23] about it?
[24] **A:** I think it had been reported at
[25] that point, yes.

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[1] **C.C. Quinn**
[2] **Q:** But did you speak to the
[3] newspaper about it?
[4] **A:** Yes.
[5] **Q:** Did you speak to Councilmember
[6] Foster about it?
[7] **A:** No.
[8] **Q:** Did you speak to Councilmember
[9] Addabbo about it?
[10] **A:** No.
[11] **Q:** Did you speak to Councilmember
[12] Gallagher about it?
[13] **A:** No, before the meeting, no.
[14] **Q:** Did you speak to Councilmember
[15] Gerson about it?
[16] **A:** I don't believe I did before the
[17] meeting.
[18] **Q:** Did you instruct your staff to
[19] speak to any of those Parks and Recreations
[20] Committee members about your position in
[21] opposition of Sonny Carson's name being
[22] included in that package?
[23] **A:** My staff was instructed not to
[24] lobby any councilmembers about my position.
[25] And not to — my instructions to — my staff

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[1] **C.C. Quinn**
[2] were instructed not to pressure any
[3] councilmembers to vote one way or the other
[4] way.
[5] **Q:** Did you instruct any of your
[6] staff to speak to members of the Council of
[7] the Parks and Recreations Committee about the
[8] removal — about your position, your
[9] opposition to Sonny Carson's name being
[10] included in the package?
[11] **A:** I'm sorry.
[12] **MR. LEMONEDES:** Objection to
[13] form. But you can answer if you can.
[14] **A:** Can you restate it?
[15] **Q:** Sure. Did you instruct any
[16] member of your staff to speak to the members
[17] of the Parks and Recreations Committee about
[18] your opposition to the inclusion of Sonny
[19] Carson's name in the package?
[20] **MR. LEMONEDES:** Again, objection.
[21] But go ahead.
[22] **A:** No. As I said, I instructed my
[23] staff not to lobby or pressure councilmembers
[24] on the parks committee or any other entity
[25] within the Council.

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[1] **C.C. Quinn**
[2] **Q:** So your answer is that you did
[3] not instruct your staff to speak to any of the
[4] members of the Parks and Recreations Committee
[5] about your opposition to the inclusion of
[6] Sonny Carson's name in the package?
[7] **A:** I instructed my staff and said to
[8] the press that if my staff violated my
[9] instructions on this that they would be
[10] terminated, not to lobby or pressure any
[11] councilmembers.
[12] Councilmembers may have had
[13] conversations with my staff about what my
[14] position was, I can't speak to that. People
[15] may have wanted to know what my position was.
[16] But my staff was instructed not to lobby or
[17] pressure councilmembers.
[18] **Q:** Who is Chuck Meara?
[19] **A:** My chief of staff.
[20] **Q:** And if I told you that Chuck
[21] Meara said that he had spoken to members of
[22] the Parks and Recreations Committee about your
[23] opposition to the inclusion of Sonny Carson's
[24] name in the package, what would you say?
[25] **MR. LEMONEDES:** Objection,

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C.C. Quinn

[1] numerous reasons. But go ahead.
[2] **A:** Clearly he was asked or he stated
[3] to them what my position was. That is quite
[4] different than having lobbied or pressuring —
[5] having lobbied or pressured them.
[6] But I'm sure that there were
[7] conversations between him and committee
[8] members about what my position was, that they
[9] had asked or that they wanted to clarify. He
[10] may have told them, but they were never
[11] lobbied.
[12] **Q:** Can you just tell me what your
[13] distinction between lobbying and discussing it
[14] is? What is the difference between the chief
[15] of staff of the Speaker who's speaking to
[16] members of the committee and lobbying members
[17] of the committee?
[18] **A:** When you lobby an individual you
[19] try to get them to take the position you take.
[20] You — the purpose of lobbying is to get
[21] somebody to take the position that you hold or
[22] represent, which is different than informing
[23] one of what you or your associate's position
[24] is.
[25]

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C.C. Quinn

[1] **Q:** Are you familiar with the concept
[2] the influence of the Speaker?
[3] **MR. LEMONEDS:** I'm sorry, what?
[4] **Q:** Influence of the Speaker.
[5] **MR. LEMONEDS:** Objection to
[6] form. But go ahead.
[7] **A:** I don't really know what you're
[8] referring to.
[9] **Q:** Does the Speaker as Speaker have
[10] a certain amount of influence over the members
[11] of the council?
[12] **MR. LEMONEDS:** Objection to
[13] form. But go ahead.
[14] **A:** Depends on the member, depends on
[15] the Speaker, depends on the situation.
[16] **Q:** Does the Speaker as Speaker have,
[17] for example, through use of discretionary
[18] funds, the ability to influence the vote of
[19] councilmembers?
[20] **A:** I don't know. You'd have to
[21] speak to individual councilmembers and
[22] individual Speakers about that.
[23] **Q:** And your testimony is that Chuck
[24] Meara's "discussions" with the councilmembers
[25]

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C.C. Quinn

[1] was not an attempt to influence the vote of
[2] those councilmembers —
[3] **MR. LEMONEDS:** Objection.
[4] **Q:** — on the Parks and Recreations
[5] Committee?
[6] **MR. LEMONEDS:** Objection. But
[7] you can answer, if you can.
[8] **A:** Correct, it was not an attempt to
[9] influence them.
[10] **Q:** And who was the chair of the
[11] Parks and Recreations Committee?
[12] **A:** Helen Foster.
[13] **Q:** Did she support your position in
[14] opposition to including Sonny Carson's name?
[15] **MR. LEMONEDS:** Objection to
[16] form.
[17] **A:** Councilmember Foster and I had
[18] different positions on the street re-naming.
[19] **Q:** Do committee members generally
[20] support on bills and intros — do committee
[21] members generally support the position of the
[22] chair of their particular committee?
[23] **MR. LEMONEDS:** Objection. Go
[24] ahead.
[25]

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C.C. Quinn

[1] **A:** It depends.
[2] **Q:** Would one say it's the norm for
[3] committee members to support the position of
[4] their chairs?
[5] **A:** It depends on the bills and the
[6] members and the committee and the chairs.
[7] **Q:** When the inclusion of Sonny
[8] Carson's name came up in the Parks and
[9] Recreations Committee prior to the vote, did
[10] you know that three members of that committee
[11] were going to vote in opposition to it?
[12] **MR. LEMONEDS:** Objection.
[13] Answer if you can.
[14] **A:** We believed that there were a
[15] number of members who were not going to
[16] support it, but you don't know for sure until
[17] the vote is cast.
[18] **Q:** So you're saying you didn't know
[19] that councilmembers Gallagher, Addabbo and
[20] Gerson were going to vote to remove Sonny
[21] Carson's name from the Parks and Recreations
[22] vote prior to the vote in that committee?
[23] **MR. LEMONEDS:** Objection. You
[24] can answer, if you can.
[25]

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C.C. Quinn

- [1] *C.C. Quinn*
[2] **A:** What I said was that we believed
[3] there would be an amendment introduced. We
[4] had reason to believe that those three members
[5] were going to vote to remove the name, but you
[6] cannot know what a vote will be until it
[7] occurs.
[8] **Q:** When you say we, who is the we?
[9] **A:** I'm sorry, my staff and I.
[10] **Q:** You knew prior to the vote that
[11] Tish James, Councilmember James was going to
[12] abstain?
[13] **MR. LEMONEDES:** Again same
[14] objection. But go ahead and answer if
[15] you can.
[16] **A:** I did not know what Tish James
[17] was going to do when she had to vote in the
[18] parks committee.
[19] **Q:** Did you speak to Councilmember
[20] James after the vote of the Parks and
[21] Recreations Committee about what had happened?
[22] **A:** I may have, I don't recall. I
[23] may have. After you said, right?
[24] **Q:** After.
[25] **A:** I may have, I'm just not sure.

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C.C. Quinn

- [1] *C.C. Quinn*
[2] **Q:** Had a name, in your experience,
[3] had a name ever been removed at the level of
[4] the Parks and Recreations Committee before?
[5] **A:** No. There had been the one other
[6] street name that was voted down, but I don't
[7] know at what point in the process.
[8] **Q:** Are you familiar with a term, the
[9] inherent power as Speaker?
[10] **A:** No.
[11] **MR. LEMONEDES:** Asked previously,
[12] right?
[13] **MR. WAREHAM:** No, I didn't ask
[14] that question.
[15] **MR. LEMONEDES:** Objection. But
[16] go ahead.
[17] **Q:** Have you ever heard that term
[18] before?
[19] **A:** No.
[20] **Q:** Do you have an idea of what it
[21] might mean?
[22] **MR. LEMONEDES:** Objection.
[23] **Q:** If it was used in terms —
[24] **MR. LEMONEDES:** Don't speculate,
[25] please.

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C.C. Quinn

- [1] *C.C. Quinn*
[2] **Q:** Do you have any particular
[3] responsibilities at Stated Meetings of the
[4] Council.
[5] **A:** Yeah, I run the meetings.
[6] **Q:** What is the role of the public
[7] advocate at those meetings?
[8] **A:** The public advocate is the
[9] presiding officer as appointed by the Speaker.
[10] **Q:** Who is responsible for
[11] maintaining order and decorum at the Stated
[12] Meetings?
[13] **A:** Myself and the public advocate.
[14] **Q:** Co-equally?
[15] **A:** Well, no, because the public
[16] advocate is appointed by the Speaker, so that
[17] the public advocate is serving as a
[18] representative of the Speaker.
[19] In fact, the public advocate
[20] called me a few days after I was elected
[21] Speaker to request that I continue the
[22] privilege that had been extended by Speaker
[23] Miller that she get to be the presiding
[24] officer.
[25] **Q:** So at any particular meeting, is

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C.C. Quinn

- [1] *C.C. Quinn*
[2] it co-equal responsibility or the public
[3] advocate has the primary authority?
[4] **A:** No, I would say the Speaker has
[5] the primary authority but we're working
[6] together, obviously.
[7] **Q:** Are you familiar with the rules
[8] of the City Council?
[9] **A:** Yes.
[10] **Q:** Under the rules of the City
[11] Council who is responsible for maintaining
[12] order and decorum at the Stated Meeting of the
[13] council?
[14] **A:** The public advocate and the
[15] Speaker are the people who run the Council
[16] meetings.
[17] **Q:** I will show you Plaintiff's
[18] Exhibit 2. Let me draw your attention to
[19] section 3.10 of Plaintiff's Exhibit 2, the
[20] rules of the City Council.
[21] **MR. LEMONEDES:** Are these all the
[22] rules?
[23] **MR. WAREHAM:** Yes, I think that's
[24] the entire thing.
[25] **A:** Which one are you referring to?

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[1] **C.C. Quinn**
[2] **Q:** 3.10.
[3] **A:** 3.10, I started reading 3.0, I'm
[4] sorry. Okay.
[5] **Q:** And what is that section
[6] entitled?
[7] **A:** Order Decorum.
[8] **Q:** And what does it state in terms
[9] of responsibility for maintaining order and
[10] decorum?
[11] **A:** "The presiding officer shall
[12] preserve order and decorum in the event of a
[13] disturbance or disorderly conduct in the
[14] chamber lobby or gallery. The presiding
[15] officer may cause the same to be cleared."
[16] 3.1 follows 3.0 which is titled,
[17] Who Presides. "The Speaker shall be the
[18] presiding officer of the council and may at
[19] his or her discretion designate an acting
[20] president pro tem who shall chair all stated
[21] charter and special meetings."
[22] **Q:** When you designate the public
[23] advocate —
[24] **A:** Correct.
[25] **Q:** — as the presiding officer, she

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[1] **C.C. Quinn**
[2] is the presiding officer for the Stated
[3] Meeting?
[4] **A:** At the request of the Speaker.
[5] **Q:** But she is the presiding officer?
[6] **A:** At the request of the Speaker.
[7] **Q:** Okay. But it doesn't say the
[8] presiding officer at the request of the
[9] Speaker. It says, the presiding officer.
[10] **A:** Well, it does actually.
[11] **MR. LEMONEDES:** This is
[12] argumentative. Don't answer.
[13] **THE WITNESS:** I'm sorry.
[14] **MR. LEMONEDES:** Go ahead.
[15] **Q:** Who gives directions to security
[16] at the Stated Meeting?
[17] **A:** I do. The chief of staff may as
[18] well.
[19] **Q:** Does the public advocate?
[20] **A:** She may consult with the chief of
[21] staff to give directions to security, yes.
[22] **Q:** But the public advocate cannot
[23] give directions directly to —
[24] **A:** She could.
[25] **Q:** — the director of security?

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[1] **C.C. Quinn**
[2] **A:** She could, she doesn't usually,
[3] but she do.
[4] **Q:** But it's within her purview?
[5] **A:** I would allow that, yes.
[6] **Q:** So basically —
[7] **A:** I would allow that.
[8] **Q:** — she functions at your
[9] discretion?
[10] **A:** Yes.
[11] **Q:** And if you feel that the public
[12] advocate is not maintaining order at a
[13] meeting, do you speak to her directly, how do
[14] you communicate that to her?
[15] **A:** Sometimes I speak to her
[16] directly, sometimes I ask the chief of staff
[17] to speak to her.
[18] **Q:** Prior to the Stated Meeting of
[19] May 30th, 2007, were you aware that
[20] Councilmember Vann planned to offer an
[21] amendment to introduce Sonny Carson's name in
[22] his co-naming package?
[23] **A:** Yes, my staff and I believed,
[24] based on what happened at the Parks Committee
[25] meeting that Councilmember Vann would probably

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[1] **C.C. Quinn**
[2] want to put an amendment on the floor.
[3] So immediately following the
[4] Parks Committee meeting I instructed my staff
[5] to give Councilmember Vann any and all
[6] information he needed about the procedures for
[7] introducing an amendment to make the staff
[8] who, you know, who oversees that type of
[9] paperwork, et cetera, fully available to him
[10] so if he wanted to he would be able to do it
[11] without any problems as it related the
[12] paperwork or anything of that nature.
[13] I wanted to make sure that if
[14] Councilmember Vann wanted to amend the bill
[15] that there was nothing that hindered him in
[16] his efforts to introduce that amendment on the
[17] floor. And I instructed staff to proactively
[18] reach out to Councilmember Vann in case he
[19] wanted to do that.
[20] **Q:** Did your staff do that?
[21] **A:** I believe they did, yes.
[22] **Q:** What was Councilmember Vann's
[23] response?
[24] **A:** That he was contemplating it and
[25] he wanted the information about the process.

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C.C. Quinn

[1] *C.C. Quinn*
[2] **Q:** Prior to the Stated Meeting of
[3] May 30th, 2007, were there any negotiations
[4] between you and Councilman Vann in the Black,
[5] Latino, and Asian Caucus about resolving the
[6] Sonny Carson impasse?

[7] **A:** There were numerous meetings and
[8] discussions in an attempt to try to come to
[9] some type of resolution that could be seen as
[10] a win-win for everyone, and try to avoid more
[11] tension.

[12] **Q:** What were the nature of those
[13] discussions, what came out of those
[14] discussions?

[15] **A:** Well, in the end there was a
[16] suggested compromise proposed by the Executive
[17] Committee of the Black, Latino and Asian
[18] Caucus that was presented to Councilmember
[19] Vann that he didn't find acceptable.

[20] Both I, the Speaker, presented it
[21] to him as, I believe, the co-chairs of the
[22] Black, Latino and Asian Caucus did, and it
[23] wasn't acceptable to Councilmember Vann,
[24] therefore, we moved forward and had the vote
[25] on the floor.

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C.C. Quinn

[1] *C.C. Quinn*
[2] **Q:** What was that compromise, if you
[3] remember?

[4] **A:** It was basically to come up with
[5] a clear and delineated review check process
[6] for all street re-namings. And that moving
[7] forward all street re-namings would have to go
[8] through that, including any that were or had
[9] been in the piece of legislation you
[10] referenced before which would, of course,
[11] include Sonny Carson Street.

[12] And if after going through the
[13] process of this new delineated criteria, which
[14] there would have been councilmember —
[15] extensive councilmember input in developing,
[16] if all of the names that were in 556, I
[17] believe is the number, whichever ones made it
[18] through the process would move forward, and
[19] whichever ones didn't make it through the
[20] process wouldn't move forward.

[21] And Councilmember — there was a
[22] desire on Councilmember Vann's part for there
[23] to be an agreement that Sonny Carson's street
[24] would move through that new process, but we
[25] couldn't guarantee that and prejudge the

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C.C. Quinn

[1] *C.C. Quinn*
[2] process. So therefore it wasn't acceptable.

[3] **Q:** I asked you before how Sonny
[4] Carson's name came to your attention. And you
[5] said that a staff member had brought that to
[6] your attention.

[7] **A:** Correct.

[8] **Q:** Do you know who Daniella Notaro
[9] is?

[10] **A:** No.

[11] **Q:** Do you know who Harry Schwartz
[12] is?

[13] **A:** No.

[14] **Q:** Do you know Eileen Sweeney is?

[15] **A:** No.

[16] **Q:** Charley Santiago?

[17] **A:** No.

[18] **Q:** Angelo Feruzzano?

[19] **A:** No.

[20] **Q:** Howard Weaving?

[21] **A:** No.

[22] **Q:** Betty Motresa?

[23] **A:** No.

[24] **Q:** Marlene Rivera?

[25] **A:** No.

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C.C. Quinn

[1] *C.C. Quinn*
[2] **Q:** At the Stated Meeting of
[3] May 30th, did you vote on the package of
[4] names?

[5] **A:** Yes.

[6] **Q:** You voted to support that
[7] package?

[8] **A:** Yes.

[9] **Q:** Had you investigated any of the
[10] other names in that package?

[11] **A:** I had not personally, no. There
[12] is a review process that's conducted by the
[13] staff of the Parks Committee, but I don't
[14] typically do personal review or investigation
[15] on street re-naming legislation or any
[16] legislation.

[17] So it is not atypical that I
[18] would not have researched the names in this
[19] bill, or done personal research on any
[20] legislative matter. We have a staff that does
[21] that.

[22] **Q:** And you're saying that it was the
[23] parks, it was the staff of the Parks and
[24] Recreations Committee review that brought
[25] Sonny Carson's names to your attention?

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C.C. Quinn

[1] **MR. LEMONEDES:** Objection to
[2] form.
[3] **A:** A member of my staff brought it
[4] to my attention.
[5] **Q:** But you didn't review any of the
[6] other names in the package?
[7] **A:** I did not. Nor do I ever.
[8] **Q:** This is Plaintiff's 15, this is
[9] the excerpt of the General Order Calendar of
[10] Intro 556A that had the 51 names, the name
[11] coding of the 51 names. This is Bates stamped
[12] page D 0093 and 0098 and 0099.
[13] (Plaintiff's Exhibit 15, Agenda
[14] for Stated Meeting of May 30, 2007, was
[15] marked for identification as of this
[16] date.)
[17] **MR. LEMONEDES:** It hasn't been
[18] marked before?
[19] **MR. WAREHAM:** No, it hasn't been
[20] marked before.
[21] **MR. LEMONEDES:** It's the agenda
[22] for the Stated Meeting of May 30th,
[23] 2007.
[24] **MR. WAREHAM:** Correct. It's not

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C.C. Quinn

[1] the entire agenda, it's just the
[2] section that deals with Intro 556A.
[3] **A:** Number 12?
[4] **Q:** Yes.
[5] **MR. LEMONEDES:** Whenever you're
[6] ready.
[7] **Q:** You said you're really not
[8] familiar with any of the names, well, not any.
[9] Would it be fair to say that you were not
[10] familiar with the history of the majority of
[11] names on that package?
[12] **A:** I don't know. I have to go more
[13] carefully than I just did through each of the
[14] names. I was not familiar with the names that
[15] you listed. But there are names here that I
[16] am familiar with.
[17] **Q:** But you voted for the entire
[18] package on May 30th, 2006?
[19] **A:** Correct.
[20] **Q:** Would it be fair to say that if
[21] one of your staff members had not brought
[22] Sonny Carson's name to your attention you
[23] would have voted for that name as well in the
[24] original package?

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C.C. Quinn

[1] **MR. LEMONEDES:** Objection. You
[2] can answer.
[3] **A:** No, that is absolutely not a fair
[4] statement.
[5] **Q:** You said you did not know Sonny
[6] Carson?
[7] **A:** Correct.
[8] **Q:** Which of your staff members
[9] brought Sonny Carson's name to your attention?
[10] **A:** Ramone Martinez.
[11] **Q:** When he brought it to your
[12] attention what did he say? What did he say to
[13] you when he brought it to your attention?
[14] **A:** He said, I wanted to make sure
[15] that you were aware that there was a request
[16] to re-name a street for Sonny Carson in
[17] Brooklyn.
[18] **Q:** What was your response?
[19] **A:** I said, I don't want to do that.
[20] **Q:** Because you knew who Sonny Carson
[21] was?
[22] **MR. LEMONEDES:** Again, objection.
[23] This has been covered. Please again,
[24] very limited, but I'm not going to

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C.C. Quinn

[1] allow this to continue to go on this
[2] way. Go ahead, can you just ask a new
[3] question so the record is clear. I
[4] don't mean to interrupt you all of a
[5] sudden.
[6] **MR. WAREHAM:** Can you repeat the
[7] question?
[8] (Question read.)
[9] **A:** Because I believed he didn't
[10] deserve a governmental honor of a street
[11] naming.
[12] **Q:** Do you believe that because he
[13] allegedly made remarks about Jewish people?
[14] **A:** I believe that because of the
[15] totality of his record.
[16] **Q:** And you were familiar with the
[17] totality of his record?
[18] **A:** I was familiar with a great deal
[19] of his record, yes.
[20] **Q:** And from what sources did you
[21] gather the totality of his record?
[22] **A:** From newspapers and other media
[23] sources, and from individuals who had
[24] interacted with him.

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[1] **C.C. Quinn**
[2] **Q:** Which individuals were those?
[3] **MR. LEMONEDES:** No, we're not
[4] going there. She just expressed what
[5] was the basis was for her
[6] determination. This is not an
[7] examination of her vote. I object at
[8] this point.
[9] **Q:** Prior to the Stated Committee
[10] Meeting of May 30th, 2007, you said once the
[11] discussions that Councilman Vann — that the
[12] compromise that had been proposed was
[13] unacceptable to Councilman Vann, correct?
[14] **A:** Yes. The compromise proposed by
[15] the caucus, yes.
[16] **Q:** By the caucus. And you was it —
[17] **A:** It was presented to me by the
[18] caucus.
[19] **Q:** And it was, that compromise was
[20] acceptable to you?
[21] **A:** Yes.
[22] **Q:** So it was acceptable to you, the
[23] caucus, the entire caucus or the executive
[24] committee of the caucus?
[25] **A:** I don't remember if it was

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[1] **C.C. Quinn**
[2] presented to me by the full executive
[3] committee or just by the co-chairs, but it was
[4] on behalf of the executive committee.
[5] **Q:** It was on behalf of the executive
[6] committee, okay.
[7] But it was unacceptable to
[8] Councilman Vann?
[9] **A:** Correct.
[10] **Q:** And on that basis he decided to
[11] put the item on the agenda for May 30th, 2007?
[12] **A:** Well, then the item moved
[13] forward, yes.
[14] **Q:** At the point in time, at that
[15] point in time when you put it on the agenda,
[16] did you have an assessment of whether or not
[17] the amendment would pass?
[18] **A:** I don't know.
[19] **MR. LEMONEDES:** I'm sorry, the
[20] amendment?
[21] **MR. WAREHAM:** The amendment.
[22] **MR. LEMONEDES:** Objection to
[23] form, because I'm not clear on what
[24] you're asking.
[25] **Q:** When you moved the item forward,

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[1] **C.C. Quinn**
[2] were you aware that Councilman Vann was going
[3] to put forward an amendment on the May 30th,
[4] 2007 meeting to include Sonny Carson's name?
[5] **A:** Yes.
[6] **Q:** Did you do a polling of
[7] councilmembers of what their vote would be on
[8] the Vann amendment?
[9] **A:** We did a vote count, yes. Which
[10] we do on every, almost every piece of
[11] legislation that gets voted on on the City
[12] Council, on a Stated Meeting from
[13] controversial to non-controversial.
[14] **Q:** And you as the Speaker set the
[15] agenda for a Stated Council Meeting, right?
[16] **A:** No, not exclusively.
[17] **Q:** But you can determine whether or
[18] not an item becomes on the agenda for a
[19] particular Stated Meeting?
[20] **A:** Not exclusively.
[21] **Q:** Who else has input into it? Who
[22] else has authority to deal with that?
[23] **A:** The rules have a process by which
[24] members can send things directly to the floor.
[25] I think it's called the discharge process, but

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[1] **C.C. Quinn**
[2] I'm not 100 percent.
[3] **Q:** It requires a certain number of
[4] councilmembers to agree to it, to put an item
[5] on the agenda if you're not willing to do
[6] that, you as Speaker, are not willing to do
[7] that?
[8] **A:** Correct.
[9] **Q:** How often has that been exercised
[10] during your tenure as Speaker?
[11] **A:** I don't think ever, I'm not
[12] 100 percent sure. Actually I might be wrong.
[13] I don't know. I think there was recently —
[14] Councilmember Avella used the rules, but I'm
[15] not sure, just a week ago. But I'm not sure
[16] if it was discharge or a different procedure.
[17] **Q:** But prior to the May 30th, 2007
[18] meeting that procedure hadn't been used in
[19] your tenure as Speaker?
[20] **A:** Not that I recall but I can't say
[21] 100 percent, and I don't want to misspeak.
[22] **Q:** So would it be fair to say that
[23] the vote on the Vann amendment was set by you
[24] for May 30th, 2007?
[25] **MR. LEMONEDES:** Objection to

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C.C. Quinn

- [1] form.
[2] **A:** No.
[4] **Q:** The vote on the co-naming was set
[5] by you for May 30th, 2007?
[6] **A:** Yes.
[7] **Q:** And you were aware that once that
[8] agenda item is placed that Councilman Vann had
[9] the option of bringing his amendment on that
[10] day?
[11] **A:** Correct.
[12] **Q:** And so that if you were going to
[13] bring the amendment it was going to be decided
[14] on May 30th, 2007?
[15] **A:** What was going to be decided?
[16] **Q:** The vote on his amendment.
[17] **MR. LEMONEDES:** Objection to
[18] form. But go ahead.
[19] **A:** Yes.
[20] **Q:** And you did a vote count?
[21] **A:** I did not personally.
[22] **Q:** You had your staff do a vote
[23] count?
[24] **A:** Yes.
[25] **Q:** So that prior to the vote on

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- [1] May 30th, 2007 what was your assessment of
[2] whether the Vann amendment was going to pass
[3] or not?
[4] **A:** Just to be clear, we — I
[5] instruct my staff to do vote counts on almost
[6] every item that the council votes on, so I'm
[7] given a sense of what we think the vote might
[8] be on almost everything we vote on before a
[9] meeting starts. The votes don't always end up
[10] the way the vote count indicates.
[11] Based on the vote count, I did
[12] not think the Vann amendment was going to
[13] pass.
[14] **Q:** You as Speaker always have the
[15] option to remove an item from the agenda?
[16] **A:** No.
[17] **Q:** You don't have an option?
[18] **A:** Not every item always, no.
[19] **Q:** But you as Speaker, if a bill
[20] that you support does not have the votes, you
[21] as Speaker, have the option to put that item
[22] off, is that correct?
[23] **A:** Not always, no.
[24] **Q:** But you do have that — sometimes

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- [1] you do, correct?
[2] **A:** It depends.
[3] **Q:** But that's within your purview
[4] because you set the agenda?
[5] **MR. LEMONEDES:** Again, objection
[6] to form. It's not what the testimony
[7] has been.
[8] **A:** It depends.
[9] **Q:** Does it require a majority vote
[10] for the amendment to pass?
[11] **A:** I think it requires a majority
[12] vote of the Council, but I kept getting
[13] confused in the process of whether it was a
[14] majority vote in the Council or a majority of
[15] the people in room, and I could never get it
[16] correct in my head. So it's one of those two.
[17] At the time of the day of the
[18] vote I knew but, I honestly for some reason,
[19] couldn't get it straight in my head and I kept
[20] saying it different ways. It's either a
[21] majority of the Council or a majority of
[22] people present. I can't remember, I couldn't
[23] ever keep that fact straight in my head for
[24] some reason.
[25]

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C.C. Quinn

- [1] **Q:** But whichever it was, your view
[2] was that you had enough votes to defeat that
[3] amendment on May 30th, 2007?
[4] **MR. LEMONEDES:** Objection to
[5] form.
[6] **A:** My understanding was that the
[7] amendment was not going to pass.
[8] **Q:** And when the amendment came up
[9] for a vote, what was the final vote on that,
[10] if you remember?
[11] **A:** I don't remember. It didn't
[12] pass, but I don't remember.
[13] **Q:** Would it be a fair
[14] characterization to say that nearly all the
[15] white members of the Council voted against the
[16] Vann amendment?
[17] **MR. LEMONEDES:** Objection.
[18] Answer if you can.
[19] **A:** I think most of the white members
[20] voted against the amendment, yes.
[21] **Q:** And the only white member who
[22] didn't was Councilmember Avella?
[23] **MR. LEMONEDES:** Again, objection.
[24] **A:** There were a small number, and
[25]

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[1] **C.C. Quinn**
[2] Councilmember Avella was one of them, but I
[3] can't say for sure he was the only one.
[4] **Q:** Prior to the Stated Meeting of
[5] May 30th, did you attend a meeting with the
[6] public advocate and some other members of your
[7] staff around security concerns on that
[8] upcoming meeting?
[9] **A:** I think so, yes. I think it
[10] might have been the day of the meeting though,
[11] so I don't think it was prior.
[12] **Q:** Do you remember what was
[13] discussed?
[14] **A:** Some of what was discussed, yes.
[15] **Q:** What was it?
[16] **A:** We discussed that we knew it was
[17] going to be a tense meeting, that we thought
[18] there was a possibility for disruption.
[19] I discussed with Betsy that my
[20] desire was to do everything in our power to
[21] not — to try to keep order in the chamber but
[22] to not have to clear the chamber. I wanted to
[23] avoid, at all costs, having to clear the
[24] balcony of the public. We thought that there
[25] might be a disruption, but we wanted to do

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[1] **C.C. Quinn**
[2] everything we could to try to allow people to
[3] see the entirety of the part of the meeting
[4] that they were there for.
[5] And I instructed Betsy that she
[6] had to be kind of equally aggressive in
[7] gaveling when people were clapping as when
[8] they were booing, so it was just a general no
[9] outburst of any kind policy. But that we
[10] would do our best to try to keep the meeting
[11] going and not to have to recess at any period
[12] of time to remove anyone from the chambers.
[13] **Q:** Were you present for the
[14] entire —
[15] **A:** And I did instruct Betsy that if
[16] the chambers were — if the balcony or the
[17] chambers were going to be cleared that she
[18] would get that instruction from me.
[19] **Q:** At the Stated Meeting were you
[20] present for the entire meeting?
[21] **A:** For the Stated Meeting?
[22] **Q:** Yes, on May 30thth, 2007?
[23] **A:** Yes.
[24] **Q:** Did you witness any "disruptive
[25] conduct" by Mrs. Plummer during that meeting?

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[1] **C.C. Quinn**
[2] **A:** When I was speaking on the
[3] amendment there was lots of shouting and noise
[4] and disruption going on. And at one point I
[5] looked to the left and saw Mrs. Plummer
[6] screaming.
[7] **Q:** What was she screaming?
[8] **A:** I'm not sure what she was
[9] screaming.
[10] **Q:** Did that happen at any other
[11] point in time?
[12] **A:** The screaming continued through
[13] the entire time I was speaking on the
[14] amendment. I didn't see Mrs. Plummer more
[15] than once, but the speaking continued the
[16] entire time I was speaking.
[17] And it was confusing and
[18] disorienting, because I would have expected,
[19] if there was disruption, it to come from
[20] behind, kind of over my head where the balcony
[21] was. And that's not what was occurring.
[22] Actually it was fairly quiet to my back, but
[23] there was other disruptions to my left and
[24] noise to my left.
[25] And I was kind of confused,

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[1] **C.C. Quinn**
[2] because that was very atypical, and not at all
[3] what I was expecting. And I couldn't kind of
[4] figure out for a little bit what was happening
[5] and where the yelling was coming from. And it
[6] was, you know, confusing and difficult to
[7] finish my comments.
[8] But I wanted as I said before,
[9] very much to not have to clear the balcony or
[10] any part of the room, so I continued. I had
[11] to raise my voice at a point to be heard over
[12] the shouting.
[13] **Q:** Was anyone else on the floor
[14] engaged in loud —
[15] **A:** I don't know.
[16] **Q:** — yelling or screaming as you
[17] put it?
[18] **A:** I mean, there was yelling going
[19] on, I don't know.
[20] **Q:** Was there any other conduct by
[21] Mrs. Plummer that you witnessed that
[22] afternoon?
[23] **A:** That I witnessed that afternoon,
[24] no.
[25] **Q:** Or heard, just the time when you

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[1] were speaking?
[2] **A:** Can you restate that?
[3] **Q:** I'm saying —
[4] **A:** Can you restate what you said
[5] before that.
[6] **Q:** I'm saying, was there any other
[7] "disruptive conduct" by Mrs. Plummer that
[8] afternoon and during the Stated Meeting?
[9] **A:** During the Stated Meeting that I
[10] — I've heard that there was other, yes. Not
[11] that I saw.
[12] **Q:** That you personally saw?
[13] **A:** No.
[14] **Q:** Or heard?
[15] **A:** No.
[16] **Q:** Do you know who Carl D'Alba is?
[17] **A:** Yes.
[18] **Q:** Who is he?
[19] **A:** The City Council's Director of
[20] Security.
[21] **Q:** At any point in time, did you
[22] instruct Mr. D'Alba to speak to Mrs. Plummer
[23] about her conduct?
[24] **A:** No.
[25]

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[1] **Q:** At any point in time, did you see
[2] Mr. D'Alba approaching Mrs. Plummer?
[3] **A:** No.
[4] **Q:** At any point in time, did you see
[5] Mr. D'Alba speaking with Mrs. Plummer?
[6] **A:** No.
[7] **Q:** And you said if you're facing the
[8] public advocate, Mrs. Plummer was, where was
[9] she?
[10] **A:** To my left.
[11] **Q:** Did you instruct security to have
[12] Mrs. Plummer removed from the chambers?
[13] **A:** No, as I said before, I very much
[14] wanted to get through the meeting without
[15] having to remove anyone, and did not instruct
[16] security to remove anyone from the chambers or
[17] the balcony.
[18] **Q:** Did the vote on the amendment go
[19] through?
[20] **A:** What do you mean by, go through?
[21] **Q:** Did it occur?
[22] **A:** Yes, the vote on the amendment
[23] occurred.
[24] **Q:** Did Mrs. Plummer's actions
[25]

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C.C. Quinn

[1] prevent that vote from being carried out?
[2] **MR. LEMONEDES:** Objection to
[3] form.
[4] **Q:** If you know?
[5] **A:** The actions of Mrs. Plummer
[6] didn't prevent the vote from occurring, but
[7] they were disruptive and made it harder for
[8] the process of the Council to occur.
[9] And as I said, there were moments
[10] when I was speaking when I thought I might
[11] have to take, you know, a break from speaking
[12] to regain order in the chambers. That didn't
[13] happen.
[14] There was a moment when I had to
[15] during the vote make an announcement that
[16] people who were booing and hissing had to stop
[17] doing that, when people were voting in a way
[18] that people did not like.
[19] But we had made a commitment to
[20] the best of our efforts to not have to remove
[21] people.
[22] **Q:** Was Mrs. Plummer booing and
[23] hissing during the vote? Was she one of the
[24] people you were speaking about?
[25]

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[1] **A:** I don't recall. I don't recall
[2] who I was speaking about at that moment in
[3] time when I made the announcement.
[4] **Q:** Did the Council carry out and
[5] complete its agenda for the May 30th, Stated
[6] Meeting?
[7] **A:** Yes, it did, with challenge and
[8] disruption, but we did.
[9] **Q:** Was there a point in time when it
[10] was brought to your attention that
[11] Mrs. Plummer had made a comment about
[12] assassinating Councilmember Comrie's ass?
[13] **A:** Yes, a member of my press staff
[14] came in and reported that to me. I said, I
[15] wanted that to be confirmed and I wanted them
[16] to get an audio recording or a confirmation of
[17] that. Because that is obviously a very
[18] serious — the belief or allegation that that
[19] occurred at that moment in time was a very
[20] serious allegation on my part, and I believed
[21] it was very serious allegation. And I didn't
[22] want to do anything about it until we had
[23] confirmation that it actually had occurred.
[24] I didn't want us to react on
[25]

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C.C. Quinn

[1] hearsay or gossip or something of that nature.
[2] So I told the press after not to do or say
[3] anything and go and get confirmation that that
[4] actually did occur and was said.

[5] **Q:** Did you get that confirmation?

[6] **A:** Yeah, an audio, a tape — not a
[7] tape, a recorder was brought back and was
[8] played.

[9] **Q:** And what was your understanding
[10] of what the remark was?

[11] **A:** That Mrs. Plummer said that she
[12] was going to assassinate Leroy Comrie's ass.

[13] **Q:** And that was said in the context
[14] — was there anything further in terms of an
[15] explanation, what she meant, did she mean it
[16] literally?

[17] **MR. LEMONEDS:** Objection to
[18] form.

[19] **Q:** Was there anything else in that
[20] tape that indicated that there was a further
[21] explanation of that remark?

[22] **A:** On the tape, Mrs. Plummer goes on
[23] to say, you know, she means all his stuff, his
[24] borough presidency.
[25]

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[1] **Q:** Were you aware at the time that
[2] Mrs. Plummer is a constituent of Councilmember
[3] Comrie?

[4] **A:** No, I don't believe I was.

[5] **Q:** Are you aware of that at this
[6] time?

[7] **A:** Yes.

[8] **Q:** Where was your understanding of
[9] where the statement was made?

[10] **A:** At a press conference or maybe
[11] not a formerly scheduled one, but a press
[12] gathering, impromptu press conference.

[13] **Q:** This occurred on the plaza of
[14] City Hall?

[15] **A:** I knew it occurred outside of
[16] City Hall. I can't say whether it was the
[17] steps or the plaza.

[18] **Q:** And that's an area that's opened
[19] — that's not an area that's restricted to
[20] members of the City Council, is it, to City
[21] Council employees?

[22] **A:** I don't know exactly where it
[23] was, so I don't know what the restrictions
[24] are.
[25]

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[1] **Q:** Are the steps of City Hall
[2] restricted to members of employees of the City
[3] of New York, of the City Council?

[4] **A:** There are restrictions around the
[5] steps, but those are not the restrictions.

[6] **Q:** Is the plaza area that's
[7] restricted to employees of the City Council?

[8] **MR. LEMONEDS:** Objection to
[9] form.

[10] **A:** It's restricted but not just —

[11] **Q:** General public has access to that
[12] area as well?

[13] **A:** No.

[14] **Q:** The general public cannot get
[15] into the plaza area in front of City Hall?

[16] **A:** If they have appointment, or if
[17] they're going to a committee hearing, or
[18] they're going to a press conference, or a
[19] meeting in City Hall. But they can't, say,
[20] across from Broadway to Park Row.

[21] **Q:** But all they only have to do is
[22] just tell security that they're going to a
[23] press conference, and they don't have to have
[24] New York City Council employee identification
[25]

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[1] to get access to that area?

[2] **MR. LEMONEDS:** Objection to that
[3] form.

[4] **A:** They don't have to have an ID,
[5] but they need to do more than tell them that's
[6] where they're going. They have to actually
[7] have an event or appointment that they're
[8] going to or a public meeting.

[9] **Q:** But they don't have to be an
[10] employee of the New York City Council?

[11] **A:** Correct.

[12] **Q:** After you had heard the tape, did
[13] you approach Mrs. Plummer?

[14] **A:** No.

[15] **Q:** Did you approach Councilman
[16] Barron?

[17] **A:** No.

[18] **Q:** Why not?

[19] **A:** The first thing I did was reach
[20] out to Councilmember Comrie.

[21] **Q:** What did Councilmember Comrie
[22] say?

[23] **A:** He was concerned and wanted us to
[24] speak to the police.
[25]

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[1]
[2] Q: Councilmember Comrie wanted you
[3] to speak to police. And it wasn't suggested
[4] to Councilmember Comrie that he speak with the
[5] police?
[6] MR. LEMONEDES: Objection to
[7] form.
[8] A: There was a conversation with
[9] myself and Councilmember Comrie and Chuck
[10] Meara when we were listening to the tape. And
[11] Councilmember Comrie was very upset about the
[12] tape and what was on the tape. And in the
[13] context of that conversation we decided to get
[14] in touch with Lieutenant Brennan who is the
[15] Chief Police Officer in City Hall.
[16] I don't know who first suggested
[17] that the police be called, whether it was
[18] myself or Chuck or Leroy, but everybody was in
[19] agreement that that was what made sense.
[20] Q: Was security supplied to
[21] Councilmember Comrie?
[22] A: Yes, by the police department.
[23] Q: And who suggested that he have
[24] security, was that your suggestion?
[25] A: I don't believe so, no. I think

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[1] it was Lieutenant Brennan's, but I'm not
[2] 100 percent sure. That's a police department
[3] decision.
[4] Q: Do you know how long security was
[5] supplied to Councilmember Comrie?
[6] A: I believe for the rest of the
[7] night.
[8] Q: Did Councilmember Comrie indicate
[9] that he actually believed that Mrs. Plummer
[10] intended to assassinate his ass?
[11] A: I don't know that we specifically
[12] have that — that I asked him that question.
[13] He took the situation very seriously and was
[14] upset about the situation.
[15] Q: Did Councilmember Comrie hear the
[16] entire tape?
[17] MR. LEMONEDES: Objection to
[18] form.
[19] Q: If you know?
[20] A: When I was with Councilmember
[21] Comrie we played the recording we had. I
[22] can't say whether it was the entire tape of
[23] what was on there. I wasn't holding the
[24] recorder. There was —

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[1]
[2] Q: Well, okay.
[3] A: You know what I mean?
[4] Q: I mean, the part that included
[5] the comment and then the explanation about
[6] borough president, I mean, his whole stuff.
[7] MR. LEMONEDES: Again objection
[8] to form.
[9] A: I believe so. And there was, in
[10] the conversations that followed, the playing
[11] of that tape concern raised by Councilmember
[12] Comrie, which I share, that the comment was
[13] obviously outrageous and unacceptable and
[14] completely inappropriate, but also was made —
[15] and Councilmember Comrie made this comment
[16] himself — was made in front of a group of
[17] people who you have no idea who was in that
[18] group, how they might take that, what they
[19] might do with that information.
[20] And that troubled and worried
[21] Leroy, that somebody might mis-respond,
[22] inappropriately react to that inappropriate
[23] comment and then do something.
[24] So there was worry about the
[25] degree to which saying something like that to

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[1] a crowd of people, what that could engender,
[2] particularly when you say it outside of a
[3] building where, in fact, a councilmember had
[4] been tragically assassinated.
[5] Q: You classify Councilman Davis'
[6] murder as an assassination?
[7] A: Yes.
[8] Q: What is your definition of an
[9] assassination?
[10] A: Councilmember Davis was a
[11] prominent political figure who was murdered by
[12] a political opponent.
[13] Q: And is it your position that the
[14] term assassination is now proscribed from use
[15] around City Hall?
[16] MR. LEMONEDES: Objection to
[17] form.
[18] A: I don't understand what you mean.
[19] Q: That because of what happened to
[20] Councilman Davis no one can use the term
[21] assassinate or assassination in the area of
[22] City Hall?
[23] A: I never in the course of this
[24] deposition have said that people cannot use
[25]

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[1] the word assassinate around City Hall.
[2] What I said was that Mrs. Plummer
[3] saying she was going to assassinate Leroy
[4] Comrie's ass, in front of a crowd of people at
[5] a press event, was completely inappropriate
[6] and unacceptable.
[7] And what I said was that
[8] Councilmember Comrie had the concern, and I
[9] share that, saying that in front of a crowd of
[10] people particularly when you're saying it
[11] outside of a building where an assassination
[12] occurred, it is very, very worrisome and
[13] troublesome, and created a level of concern
[14] for both Councilmember Comrie and myself.
[15] **Q:** Following this comment, did you
[16] have meetings with staff members and
[17] councilmembers to assess what to do?
[18] **A:** Yes.
[19] **MR. LEMONEDES:** Comments, you
[20] mean the tape?
[21] **Q:** Mrs. Plummer's comments
[22] concerning Councilmember Comrie in City Hall
[23] during the Stated Meeting.
[24] **A:** Yes.
[25]

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[1] **Q:** Those meetings, were those
[2] meetings concerned with Mrs. Plummer's
[3] comments about Councilmember Comrie?
[4] **A:** Not exclusively, but it was one
[5] of the matters.
[6] **Q:** What were the other matters?
[7] **A:** The behavior at the Stated
[8] Meeting and the prior disruptions.
[9] **Q:** And these were all considered
[10] co-equally as being of equal importance?
[11] **MR. LEMONEDES:** Objection to
[12] form.
[13] **A:** They were considered
[14] cumulatively.
[15] **Q:** Whom did you meet with?
[16] **A:** The leadership — the council
[17] leadership team.
[18] **Q:** Which is?
[19] **A:** Leroy Comrie, Bill de Blasio,
[20] Lewis Fidler, Inez Dickens, and Joel Rivera.
[21] **THE WITNESS:** Can you just read
[22] back the names? I just want to make
[23] sure I don't forget anybody.
[24] (Record read.)
[25]

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[1] **Q:** You met with them once? How
[2] often did you meet with them, how many times
[3] did you meet with them?
[4] **A:** I'm not sure, I think it was more
[5] than once. It was more than once, but I'm not
[6] sure how many times I met with leadership
[7] about it and then also with the co-chairs of
[8] the Black, Latino and Asian Caucus.
[9] **Q:** That's Jackson and?
[10] **A:** Arroyo.
[11] **Q:** And Arroyo. And you said this
[12] was to consider the cumulative events, or what
[13] did you say, situations?
[14] **A:** To consider how to respond to the
[15] various complaints and problems that were
[16] relating to Mrs. Plummer. The outburst at the
[17] committee meeting, the Stated Meeting, and
[18] then the comments after that.
[19] **Q:** At some point, did you document
[20] what these cumulative events were, did you
[21] write down this is what we're dealing with,
[22] and document Vallone, Seabrook, Executive
[23] Committee, Stated Meeting, Comrie?
[24] **A:** I never wrote it down, no.
[25]

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[1] **MR. LEMONEDES:** Objection to
[2] form.
[3] **Q:** Did anyone?
[4] **A:** I don't know.
[5] **Q:** Did you ever see any written
[6] document that spoke to the supposed
[7] transgressions of Mrs. Plummer?
[8] **A:** Not that I saw.
[9] **Q:** So it was just a discussion with
[10] people, that you had with these people, the
[11] leadership team and with the executive — with
[12] the representatives of the Black, Latino and
[13] Asian Caucus?
[14] **A:** Yes.
[15] **Q:** What was the outcome of these
[16] discussions?
[17] **A:** Eventually the outcome of these
[18] discussions was the decision on my part to
[19] send a letter to Mrs. Plummer, a letter
[20] notifying her that she was suspended for six
[21] weeks without pay, and a letter requesting
[22] that she sign a document in which she would,
[23] basically paraphrasing, but commit to, you
[24] know, no longer disrupt council proceedings
[25]

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[1] and threaten councilmembers.
[2] And the hope was that she would
[3] serve the suspension, sign the document, and
[4] then be able to come back to Council employee.
[5] And if obviously the document wasn't signed
[6] then she would be terminated.
[7] **Q:** When did you arrive at the
[8] conclusion that you had the authority to
[9] discipline Mrs. Plummer?
[10] **A:** At some point after the May 30th
[11] meeting when the research had been concluded
[12] and I had been advised that I did.
[13] **Q:** What was your understanding of
[14] the statutory basis for your authority to
[15] discipline Mrs. Plummer?
[16] **A:** It was a review of the charter.
[17] **Q:** Did you conduct that review of
[18] the charter?
[19] **A:** No.
[20] **Q:** You said you hadn't even read the
[21] charter?
[22] **A:** Correct, and there is numerous
[23] times when the charter gets reviewed at my
[24] request. And it's never done by me, it's done

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[1] by the appropriate legal staff or other staff.
[2] **Q:** Is it your understanding that
[3] your authority as to discipline Mrs. Plummer
[4] was based on the City Council being an agency?
[5] **A:** Among other things and me being
[6] the agency head.
[7] **Q:** What other things?
[8] **A:** Well, the Council one, is an
[9] agency and two — so therefore the Speaker is
[10] the head of the agency. And two, the Speaker
[11] is the head of the legislative body.
[12] **Q:** And is there any documentation
[13] that you're aware of that gives the Speaker,
[14] as head of legislative body, authority over
[15] the staff of individual councilmembers?
[16] **A:** It corresponds with what's in the
[17] charter.
[18] **Q:** But you're not sure what those
[19] sections are in the charter that delegate that
[20] authority to the Speaker?
[21] **A:** No, as I said, you know, there's
[22] numerous times that I, as Speaker, need the
[23] charter to be reviewed on a range of different
[24] matters. And those reviews are conducted by

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[1] the appropriate staff, and then I am advised
[2] as to what my — or my power and authority is
[3] or the institution's power and authority is,
[4] or the answer to a particular question.
[5] The many times someone has to go
[6] back and read the charter are numerous and
[7] constant.
[8] **Q:** So your exercise of that
[9] authority is based upon your reliance on
[10] research that others have done on your behalf?
[11] **A:** My belief and understanding that
[12] the Speaker is the agency head and has
[13] authority is, in part, from my experience as a
[14] councilmember and in part from what I have
[15] been informed by staff who have done research
[16] into the question.
[17] **Q:** Are you aware of any prior
[18] incidents where the Speaker has suspended or
[19] terminated an individual councilmember's staff
[20] person?
[21] **A:** Not that I'm aware of.
[22] **Q:** I may have asked you this before,
[23] you said you're not — I did ask you this
[24] before about the inherent power of the
[25]

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[1] Speaker. You said you're not familiar with
[2] that term.
[3] **A:** No, I'm sorry.
[4] **Q:** The suspension that went into
[5] effect on June 29th that was mentioned in the
[6] letter that you had Chuck Meara send to
[7] Mrs. Plummer on June 28th — do you follow me?
[8] **A:** Yes.
[9] **Q:** — says that that suspension is
[10] based on her disruptive activities at the
[11] Stated Meeting and her comments to
[12] Councilmember Comrie, correct?
[13] **A:** I don't have the letter in front
[14] of me.
[15] **Q:** This was Defendant's —
[16] **MR. WAREHAM:** I forget how you
[17] had it marked, Defendants B? You have
[18] it.
[19] **Q:** That's Defendant's B.
[20] **A:** Yes.
[21] **Q:** Of those two, which would you say
[22] was the principle reason that lead to her
[23] suspension?
[24] **A:** I couldn't say.
[25]

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[1]
[2] **Q:** Are they of co-equal weight in
[3] your estimation? Were they of co-equal weight
[4] in your estimation? Because you made the
[5] decision around the suspension, right?

[6] **A:** Yes.

[7] **Q:** Did you regard them as being of
[8] co-equal weight?

[9] **A:** I regarded them both as
[10] incredibly serious and very, very
[11] inappropriate and unprofessional.

[12] And I took both the disruption of
[13] the meeting and the statements made against
[14] Councilmember Comrie very seriously. I
[15] thought they were both outrageous and
[16] unacceptable and not professional behavior.

[17] And I can't tell you one weighed
[18] 40 percent and one weighed 60 percent, but
[19] they were together something that had to be
[20] responded to.

[21] And I hoped that with this
[22] response Mrs. Plummer would be able to serve
[23] the suspension and sign the letter and then
[24] come back and act in an appropriate and
[25] professional manner.

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[1] **Q:** Did either one of those in and of
[2] themselves, in your view, merit suspension,
[3] either one of those activities?

[4] **A:** That wasn't the question before
[5] me. I mean, the question before me was a
[6] question that had both of those and some
[7] preexisting complaints.

[8] **Q:** Were those other previous
[9] complaints delineated in that letter?

[10] **A:** No, no.

[11] **Q:** She wasn't apprised of those in
[12] that letter?

[13] **A:** No.

[14] **Q:** Would your decision have been the
[15] same if you had known at the time that
[16] Mrs. Plummer was a constituent of
[17] Councilmember Comrie?

[18] **A:** Where Mrs. Plummer lives is
[19] irrelevant to this situation. Where one lives
[20] doesn't cause them to disrupt Council
[21] meetings.

[22] **Q:** Would your decision around the
[23] comments around Councilmember Comrie have been
[24] any different had you known that she was a
[25]

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[1] constituent of Councilmember Comrie?
[2] **A:** Where she lives is irrelevant.

[3] It was behavior that was inappropriate and
[4] unacceptable.

[5] **Q:** And you're saying who her elected
[6] representative is is irrelevant as well?

[7] **MR. LEMONEDS:** Objection to
[8] form.

[9] **A:** That is absolutely not what I
[10] said. We're not talking about —

[11] **Q:** I'm asking you whether the fact
[12] that Councilmember Comrie is her elected
[13] representative would have made a difference in
[14] terms of your decision around her comments
[15] around Councilmember Comrie?

[16] **A:** Who her councilmember is very
[17] relevant to her as an individual. But who
[18] your councilmember is doesn't give you — make
[19] it okay for you to disrupt Council proceedings
[20] and act in disruptive ways, and to make
[21] statements such as had been noted here.

[22] People have, you know, the
[23] appropriate means to express their disapproval
[24] of their elected officials.
[25]

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[1] **Q:** And then on July 5th you had
[2] Chuck Meara send another letter to
[3] Mrs. Plummer?

[4] **A:** Yes, sir.

[5] **Q:** Basically once again reinforcing
[6] the suspension and informing her that she will
[7] be terminated if she didn't sign the letter?

[8] **A:** I believe that's what the
[9] July 5th letter was, yes.

[10] **Q:** And at some point in time, did
[11] you actually move to have Mrs. Plummer
[12] terminated?

[13] **A:** Yes, Mrs. Plummer has been
[14] terminated.

[15] **Q:** And that was at your direction?

[16] **A:** Correct.

[17] **Q:** As Speaker?

[18] **A:** Correct.

[19] **Q:** Are you familiar with the New
[20] York City Council policy for harassment and
[21] discrimination?

[22] **A:** Yes.

[23] **Q:** Did you file a complaint against
[24] Mrs. Plummer pursuant to that policy
[25]

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